

THE MONROE DOCTRINE

ITS IMPORTANCE IN THE INTERNATIONAL LIFE
OF THE STATES OF THE NEW WORLD

BY

ALEJANDRO ALVAREZ

Corresponding Member of the Institut de France, Member of the Institut de Droit international, Original Member and Secretary General of the American Institute of International Law, one of the Original Directors of the Institut des Hautes Etudes internationales at Paris, Member of the Curatorium of the Academy of International Law at The Hague

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PREFACE

On the second day of December, 1823, the President of the United States in his annual message to Congress expressed his opinion upon the foreign policy of his country with respect to Europe and America which from that day to this has borne the name of the Monroe Doctrine. In 1923 the Centenary of the message was celebrated formally and informally throughout the United States, the Secretary of State, the Honorable Charles Evans Hughes, delivering, on the 30th of November, at Philadelphia, an address on "The Centenary of the Monroe Doctrine," in which he not only stated its origin but expressed the opinion that it will apply to the relations of the United States in the future as it has in the past. The Doctrine is larger than the United States; it is continental, and, having stood a hundred years, it already makes a claim to immortality.

The undersigned felt that the Carnegie Endowment for International Peace should contribute in some way to the hundredth anniversary of the Doctrine which has made for peace and which has at times kept the peace between the New and the Old World. It seemed that the best contribution that the Endowment could make would be a collection of expressions of opinion by Latin Americans regarding the Monroe Doctrine and expressions by prominent North Americans upon the same subject. Authorized by the Executive Committee of the Endowment to make arrangement for such a collection, the Director of the Division of International Law requested Mr. Alejandro Alvarez, the distinguished Chilean publicist, to select from the innumerable expressions of opinion by Latin and North Americans those which in his judgment were best calculated to show the nature of the Doctrine and the extent to which it had appealed to the minds of the leading publicists and statesmen of the Americas. As the present volume shows, Mr. Alvarez accepted the invitation and has performed the task, indicating what should in his opinion be included and grouping his selections with brief but masterly comment so as to bring out clearly the different views held on the subject of the Doctrine. The only difficulty which he experienced was that of choosing among the many statements which he would have liked to include, and it was with deep regret that he found himself obliged to be content with what might be called characteristic expressions of opinion rather than to mark for publication all those which in his judgment were worthy of inclusion.

The appreciation in which John Bassett Moore's monumental *Digest of International Law* is held, not only in the United States but in the Americas, is evident from the copious extracts to be found in the present volume. Mr. Alvarez has indeed laid a heavy hand on Judge Moore's *Digest*, but it is the hand of a friend, of an admirer, and of a worker in the same broad field of

international relations. Mr. Alvarez could not do otherwise. The Monroe Doctrine cannot be adequately treated without making heavy inroads upon Judge Moore's classic work.

It is believed that no volume exists which attempts to do for the Monroe Doctrine what Mr. Alvarez's collection does. It is a unique collection of documents and expressions of opinion. Its preparation has required time, thought, and devotion, and it is a book which only Mr. Alvarez, familiar alike with Latin American and North American literature on the subject, could prepare, and to which only a friend of all the Americas would have devoted the time, the labor, and the patience necessary for its compilation. His devotion however is neither wasted nor lost. The book is a service alike to North America, Central America, and South America.

JAMES BROWN SCOTT,
Director of the Division of International Law.

WASHINGTON, D. C.,
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PART I
HISTORY, PRACTICE, IDEAS, FACTS

CHAPTER I

HISTORICAL AND COMPARATIVE EXPOSITION OF THE IDEAS OF THE UNITED STATES AND OF LATIN AMERICA WITH REGARD TO THE MONROE DOCTRINE

I

One of the subjects of an international character most discussed by statesmen, publicists, and even by the general public, is the Monroe Doctrine. The greatest uncertainty and misapprehension exist in regard to its nature and scope. There is scarcely a political step of the United States, with respect to the countries of Europe or Latin America, which is not connected more or less directly with this Doctrine.

The Monroe Doctrine is generally considered, especially in Europe and in the United States, not as a *juristic principle* but as a *political standard* of the latter country, which it alone has erected and developed, and which, consequently, it alone must apply and interpret. Various reasons are given in support of this belief, principally the fact that the celebrated Doctrine was proclaimed by one of the Presidents of the United States, who alleged as its only justification the maintenance of peace and national security, and likewise the fact that the United States was its only defender and supporter during the course of the nineteenth century.

At present many maintain that the Doctrine has lost its reason for existence and ought to be discarded; others, on the contrary, hold that it should be adapted to the new conditions of the New World and constituted as a principle of American continental public law. Finally, others contend that it should lose its present character and be established as a world principle. The former base their contention upon the active participation of the United States in the Great War and its no less active participation in the Versailles Treaty of Peace; upon the fact that the nations of Europe no longer attempt to colonize countries of America nor to deprive them of their independence; and upon the further fact that, since some of the Latin-American countries have reached a high degree of prosperity, they need no protection against aggressions from other continents in future. Those of the opposite opinion contend that in the society of nations the countries must not become so entangled with one another as to be involved

in all of one another's international affairs; that the countries of the New World have formed during the past century a true family of States with their own interests and doctrines; and that, consequently, they should in certain respects continue to constitute a special group, but in nowise contrary to the solidarity that should exist among all the States composing that society. Article 21 of the Covenant of the League of Nations would confirm this point of view since it refers expressly to the Monroe Doctrine as an agreement of a continental character. The third opinion is ascribed especially to President Wilson, who made the doctrine universal by providing, in Article 10 of the Covenant, for the reciprocal guaranty of the territorial integrity of the States.

It is therefore necessary to make clear the origin of the Monroe Doctrine, the principal applications and development it received at the hands of the United States during the nineteenth century, as well as the ideas of Latin America on the subject. A historical and comparative study of this kind will shed considerable light upon the nature of this Doctrine, its present scope, and the rôle that it should fulfil in future, both in the law and in the international policy of the republics of the American continent.

II

In order better to understand the scope of the Monroe Doctrine, it is necessary to bear in mind that from the beginning of the independence of the New World the statesmen of the Great Republic of the North, as well as those of Latin America, without any preliminary agreement, proceeded in the domestic political organization and foreign relations of their countries from certain given facts to postulates that were either expressly enunciated or implicitly recognized by the said statesmen or by their governments.

These postulates, which breathe the love of independence and liberty, have had the character and force of dogma. Upon them the New World has been developed and has acquired the features that it now possesses. They may be summarized as follows:

1. The States of the New World have issued from those of the old continent and are of the same civilization as they; they should always continue in close contact with those countries. And indeed, the States of the New World, from the very day of their independence, have concluded with those of Europe treaties of peace and friendship in which they took pains to lay down very liberal rules.

2. In spite of this community of origin and civilization and the close relations between the countries of the two continents, the statesmen of the New World recognized that the countries of Europe had a defective internal political organization and systems or points of departure that were unacceptable in their external policy; they desired to avoid these defects in the American continent by adopting on such subjects the foundations that they thought most suitable to their countries, foundations which were different and even opposed to those adopted in Europe.

3. Indeed, the statesmen of the Great Republic of the North adopted for the internal organization of their country a régime whose characteristic features were *republicanism, constitutionalism, democracy, liberalism and equality*. The statesmen of Latin America, in their turn, without previous understanding among themselves, adopted for their countries a political organization in conformity with the characteristics of the organization of the United States just mentioned. On other subjects, that is to say, in private law, the countries of America followed the legislation of their mother country, but they introduced therein modifications that they deemed opportune. Afterwards the countries of Latin America adopted a legislation based on French legislation.

4. It was the same in international relations.

The countries of the New World believed, from the beginning of their independence, that the principles of international law applicable in Europe were also for that reason applicable on the American continent, without any necessity of an express declaration of acceptance on their part. But these countries also believed that they had a right to protest against or to reject the principles of international law and policy which were not in conformity with their political institutions or which might obstruct their free development; and that they had a right to proclaim other principles of international law, or to follow other policies in harmony with their necessities or with the special conditions of their existence. And for this reason they reserved to themselves also the right to interpret the principles of international law in force, or to adapt them to their necessities, as well as to have practices or usages different from those of the countries of Europe, if they believed it necessary.¹

5. Given the geographical situation of the new States of America

¹ See Alvarez, *La codification du droit international* (Paris, 1912), pt. I, chap. XII. Cf. James Brown Scott, *Cases on International Law* (2d ed., 1922), Author's Preface.

and the aid that they lent one another during the wars for their independence, wars that were almost simultaneous and left a profound impress upon the popular opinion of those countries, they considered that there existed among them continental solidarity to defend their independence and their liberty. The American continent was not to confuse itself with Europe, but was to be free to develop in harmony with its antecedents and with its destiny.

This is the so-called Monroe Doctrine, which states or presupposes the majority of the postulates above outlined; and it is for this reason that it has so great an importance in the international life of the countries of the New World.

III

The principles contained in the celebrated Doctrine condense the ideas and aspirations which have sprung up and developed throughout the entire continent since the beginning of its independence.

Washington and other North American statesmen, especially Adams and Jefferson, considered that their country ought to be developed in conformity with its own character and geographical conditions, free from the complications of the European political system, that is to say, that the new State ought not to mingle in the dissensions of those countries nor to contract alliances with them. This idea of separation in the realm of politics (but not in the other branches of human activity) is known as the "Doctrine of Isolation" or "Doctrine of the Two Spheres." It was emphasized in Washington's Farewell Address, and from that time has given direction to the foreign relations of the United States.

In 1823, a combination of circumstances, among which were the interventions of the Holy Alliance in Europe and the fear that it would intervene against the Latin States of the American continent, and the controversy with Russia, induced President Monroe to make declarations, in his message of that year, with respect to the international situation of the New World. They are contained in the following passages:

The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers. . . . The political system of the allied powers is essentially different in this respect from that of America. . . . We owe it, therefore, to candor, and to the amicable relations

existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. . . . Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting, in all instances, the just claims of every power; submitting to injuries from none. But in regard to these continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.¹

As may be seen by the foregoing quotation, President Monroe made mere declarations and did not in any way intend to proclaim a *doctrine* or formulate a *principle*.

Two classes of declarations may be distinguished in the message: (1) the United States must not intervene or become involved in European affairs; (2) the countries of the New World have acquired a right to independence, and the States of Europe must not establish colonies therein or intervene in their domestic or international affairs.

Finally, it must be borne in mind that Monroe made these declarations with the interests of his own country alone in view, since he proclaimed that any attack by a country of Europe upon a country of America would be considered by the United States as a menace to its *peace and security*. But it is also recognized at the same time that there is a political solidarity between all the countries of the New World. Hence, when the message of 1823 is taken into account, the declaration known as the Monroe Doctrine, in its two aspects of non-intervention by the United States in the affairs of Europe and by the countries of Europe in the affairs of the American continent, appears merely as a national *policy* of the United States. But in order prop-

¹ *American State Papers, Foreign Relations*, vol. v, pp. 246, 250; J. D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1897*, vol. II, pp. 209, 218, 219.

erly to appraise that Doctrine, it is necessary to consider also the ideas and the attitude of the States of Latin America on the subject.

IV

Before the former Spanish colonies severed their ties with the mother country, their leaders were already, without previous consultation with one another, full of ideas relating to their independence, to their future political organization, and to the relations they should maintain among themselves and with the countries of Europe.

* The earliest ideas, which were also the clearest and most precise, were expressed in 1810, at a time when the movement for Spanish-American independence had not yet openly begun, by the noted statesman, Juan de Egaña, in the "Project of a Declaration of Rights of the People of Chile."¹ From that time, and especially since 1813, when the said movement had already begun, those same ideas were upheld with great ardor by statesmen of the different colonies in the struggle, principally by the great Liberator, Bolívar, in various documents, prominent among which is his celebrated and prophetic "Letter from Jamaica," written in 1815.² In 1817 the Liberator spoke for the first time of the "American pact."³

From 1810 to 1815 the Latin-American ideas, called by some publicists the "Bolívar Doctrine," but which it would be more appropriate to call the "Egaña-Bolívar Doctrine," relate to the independence of the States of the New World and may be summarized as follows:

The Spanish-American colonies, in concert and mutually aiding each other, should free themselves from the mother country by force of arms, forming independent, sovereign States with a liberal, democratic, and constitutional government.

Moreover, the new States should form a confederation with common interests; those States should likewise be bound by close ties to the countries of Europe.

After 1815, through fear of intervention by the Holy Alliance, the earlier ideas (or doctrine) were modified and supplemented with new formulas, which may be summed up as follows:

The States of Latin America form an international society distinct from that of Europe; all the States must combine in a confederation, in order to proclaim their independence and to prevent the mother country or any other European State from oppressing them or standing in the way of their destinies.

¹ See Annex I, *post*, p. 113. ² See Annex II, *post*, p. 116. ³ See Annex III, *post*, p. 119.

In this confederation, moreover, adequate means must be provided for maintaining peace and settling disputes by arbitration. The relations between the confederated countries must be governed by principles of law in harmony with the new conditions and needs of those states.

The Spanish-American ideas (or doctrine) have points of contact with the Monroe ideas (or doctrine), as well as differences therefrom, which it may be useful to emphasize.

The Spanish-American ideas were enunciated before the former colonies had established their independence, at a time when everything depended upon their united efforts; the Monroe message appeared after they had attained that independence and the United States had recognized it. Both make the following declarations: (a) the nations of the New World have an acquired right to independence, which the countries of Europe can not dispute; (b) the American continent is not susceptible of colonization in future; (c) the countries of Europe can not extend to the New World the system of equilibrium, the basis of European politics prevailing at that time; (d) the countries of Europe can not intervene in order to suppress or change the form of government of the new States, nor mix in their foreign affairs, nor control their destinies in any manner whatsoever.

Besides, both doctrines—the Monroe and the Latin-American—coincide in establishing, although implicitly, the *political equality* of all the countries.

The differences between the two doctrines are also clear: As we have said, Monroe did not attempt to formulate a doctrine, properly speaking, and when he made his declarations, he had chiefly in view the national interest; while the Latin statesmen tend to establish a true doctrine, taking into account national and continental interests. Moreover, the Latin States recognize that there is a close bond of solidarity between them and that consequently an offense against one of them is an offense against all, which all should punish. Finally, those same States, by virtue of this solidarity, manifest the desire to confederate, or form a society of nations governed above all by juridical principles.

In the Monroe Doctrine declarations are made with respect to the European colonies already established in America and to the intention of the United States not to meddle in the affairs of the Old World, points upon which the Latin doctrine makes no express declarations, since there was no necessity of doing so; but the ideas of the statesmen

of Latin America on this subject were undoubtedly the same as those of the United States.

As regards those points on which the two doctrines coincide, they have a *continental character*; in the other points they are merely a *policy* of the United States or of the countries of Latin America.

Henceforth, therefore, the three great principles contained in Monroe's message are not merely a *policy* of the United States, but a *legal international doctrine*, because they have been affirmed by all the States of the New World.

V

From 1824 President Monroe's message was known in almost all the countries of Latin America, and it was supported by the governing powers as well as public opinion, according to the statement of President Adams in his message to the House of Representatives in 1826.¹ Four countries took special interest in those declarations and urged the United States to agree upon measures to insure respect for them, namely, Colombia, Brazil, Argentina (United Provinces of the Rio de la Plata), and Mexico.

In 1824 Colombia, fearing that France would aid Spain in her projects of reconquest, approached the Washington Government, proposing a treaty of alliance and requesting that the scope of the Monroe Doctrine be defined. Secretary of State Adams, in a note dated August 6 of the same year, declared that fear of intervention by the Holy Alliance in the countries of the New World had practically disappeared and that the American Government had to have the consent of Congress in every case where it was necessary to put the Monroe Doctrine into effect.² There is no doubt but that this fear on the part of Colombia induced Bolívar to call the Congress of Panama in 1826 and also influenced the American Government to instruct its representatives to sign no compact of alliance.

In 1824 Brazil, fearing she would be subjugated by her one-time mother country, also requested the United States to sign a treaty of alliance, offensive and defensive, afterwards inviting the other States of Latin America to sign it. The Government of the United States excused itself, believing this compact unnecessary.³

¹ See Annex IV, *post*, p. 119.

² See Annex V, *post*, p. 120.

³ See Annex VI, *post*, pp. 125.

It is worthy of note, nevertheless, that in 1822 the Minister of Foreign Affairs of Portugal, Silvestre Pinheiro Ferreira, planned a confederation of all the American nations with his country, in order to repel any attempt by a European Power to interfere with the internal government of the States. Regarding this matter, see Planas Suarez, *Notas históricas y diplomáticas. Portugal y la independencia americana* (Lisbon, 1918), which contains documents never before published.

In 1825 the Government of Brazil recognized the Monroe Doctrine.

In the United Provinces of the Rio de la Plata (Argentine Republic), the message of 1823 was received with great enthusiasm: Rivadavia, in his message to the Congress of those Provinces, May 3, 1824, stated that he had charged his minister in Washington to suggest to the Government of the United States that it would be desirable to add to the two great principles—the abolition of privateering and the non-European colonization of American territory—a declaration that “none of the new Governments of this Continent shall alter by force their respective Boundaries as recognized at the time of their emancipation.”¹ In the following year, April 14, 1825, Secretary of State Clay, in his instructions to the chargé d’affaires in Buenos Aires, called his attention to the importance of the message of 1823, expressing the same opinions on the Monroe Doctrine as were contained in the instructions which he had sent March 25th of the same year to the minister of the United States in Mexico. When the chargé d’affaires of the United States presented his credentials to Governor Las Heras of Buenos Aires in 1826, and the latter replied to his introductory speech, both referred to the Monroe Doctrine.

That same year, war broke out between Brazil and the United Provinces of the Rio de la Plata over rights on the eastern bank (Uruguay). Rivadavia, President of those provinces, called for the application of the Monroe Doctrine on account of the connection which existed between Brazil and Portugal, a European country. In 1828, Secretary of State Clay replied to the suggestions of the Buenos Aires Government in this request, declaring that the United States did not consider itself obliged to intervene in defense of the Monroe Doctrine at every request of interested parties, and that it was necessary to obtain the previous consent of Congress in each case.²

In regard to Mexico, Secretary of State Clay in 1825 sent instructions to his representative in that country, informing him that in the message of 1823 various important principles were affirmed “of intercontinental law in the relations of Europe and America.”³ And in 1826, in a statement made by Mr. Clay to the President, it is declared that the United States has contracted no treaty with Mexico, nor with the countries of South America, to maintain the Monroe Doctrine.⁴ On the 23d of May of the same year, President Victoria of Mexico, in

¹ See Annex VII, *post*, p. 128.

² See Annex VIII, *post*, p. 129.

³ See Annex IX, *post*, p. 130.

⁴ See Annex X, *post*, p. 131.

a message to Congress, expresses the disillusionment caused him by the previous declaration of the American Secretary of State.¹

VI

The idea of a union or confederation of all the States of Latin America was perhaps what most concerned the first statesmen of those countries. It preceded the idea of independence, and was clearly expressed in 1810 by the Chileans, Martínez de Rosas and Egaña, by the Government Council of Buenos Aires in the credentials of Alvarez Jonte, their delegate to the Congress of Santiago de Chile,² and later by Sucre, San Martín, and O'Higgins in his Manifesto to the People of Chile, May 5, 1818.³ But it was Bolívar who, by his influence and prestige, emphasized this idea more and tried to put it into effect, especially by means of a Congress of Plenipotentiaries. To carry out this project, he invited the republics of the continent in 1822 to draw up treaties of "union, association and perpetual confederation." Such treaties were concluded by Colombia with Chile October 21, 1822, with Peru July 6 of the same year, with the Governments of Buenos Aires and Mexico March 8 and October 3, 1823, respectively, and with Central America March 15, 1825.⁴ In those treaties it is stated that the parties bind themselves to use their good offices with the governments of the other States of what was formerly Spanish America to enter into a pact of union, association, and confederation. It is stipulated, moreover, that as soon as this great and important object has been attained, there will be a general assembly of all the American States, composed of their plenipotentiaries, for the purpose of cementing and establishing more firmly the intimate relations which should exist among them. This assembly should serve as a council in serious disputes, as a point of contact in common danger, as an authentic interpreter of their public treaties when difficulties arise, and as judge-arbitrator and conciliator in their misunderstandings and differences.

In 1824, when Bolívar was President of Peru, he sent a circular letter to the Governments of Latin America inviting them to meet in a Congress in Panama, for the purpose of outlining the bases of the pact of union, association and confederation, which was proposed in the

¹ See Annex XI, *post*, p. 132.

² See Annex XII, *post*, p. 133.

³ See Annex XIII, *post*, p. 134.

Among other defenders of these same principles at that time were, in 1817, Cruz Cabuga, plenipotentiary of Brazil to the United States; in 1819, Rodrigo Pinto Aguedes; Ayoa i Cecilio del Valle, in Guatemala; and Artigas in Uruguay. Concerning the latter, see Juan Zorrilla de San Martín, *La epopeya de Artigas* (Montevideo, 1910).

⁴ See Annexes XIV to XVIII, *post*, pp. 135-141.

treaties we have just referred to. The above-mentioned circular ends thus: "When, after a hundred centuries, posterity shall search for the origin of our public law, and shall remember the compacts that solidified its destiny, they will finger with respect the protocols of the Isthmus. In them they will find the plan of the first alliances that shall sketch the mark of our relations with the universe. What, then, shall be the Isthmus of Corinth compared with that of Panama?"¹ The Government of the United States was also invited to that Congress, for the Monroe Doctrine was to be proclaimed therein, and the most adequate means discussed for putting an end to the slave traffic.

Articles VI, VII and XIII of the instructions which Bolívar gave to the delegates of Peru May 15, 1825, show clearly the importance and object of the said Congress.² Article VI states that "You shall make every effort to secure the great compact of union, league, and perpetual confederation against Spain, and against foreign rule, of whatever character, to be renewed in the most solemn manner." Article VII says: "You shall endeavor to obtain from the great Congress of the American States the issuing of a proclamation, setting forth the narrow views and designs of Spain, the immense harm which her Government has done to America, and the political course of action which America proposes to pursue in her relations with the powers of the world, namely, friendship to all, and strict neutrality." And in Article XIII it is ordained: "You shall see that the proclamation which, under article 7 of these instructions, must be issued and published by the Great Congress of the Isthmus, contains such an energetic and efficient declaration as that made by the President of the United States of America in his message to Congress of last year in regard to the necessity for the European power of abandoning all ideas of further colonization on this continent, and in opposition to the principle of intervention in our domestic affairs."

In February, 1826, Bolívar clearly indicated his ideas in regard to the projected Congress of Panama in a document which has been published only recently.³

It is not to the point to indicate here the importance which the United States assigned to this Congress, nor the discussions which arose in the American Congress in this regard.⁴

¹ For these invitations and the replies of the various governments, see Annex XIX, *post*, p. 141.

² See those instructions in Annex XX, *post*, p. 149.

³ See Annex XXI, *post*, p. 154.

⁴ See J. B. Moore, *A Digest of International Law* (Washington, 1906), vol. VI, pp. 416-20; see also *International American Conference; Reports of Committees and Discussions thereon* (Washington, 1890), vol. IV.

In a special message of December 26, 1825, in regard to the above-mentioned meeting in Panama, President Adams suggested as one of the subjects that might be discussed, "an agreement between all the parties represented at the meeting that each will guard by its own means against the establishment of any future European colony within its borders." The non-colonization principle was, added President Adams, "more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence."¹

The Government of the United States sent two representatives to the Congress, but with instructions not to sign any treaty of alliance. Neither of these two representatives attended the meetings, for one died on the way and the other did not arrive in time.² At the beginning of those instructions we read:

He [the President] could not, indeed, have declined an invitation proceeding from sources so highly respectable, and communicated in the most delicate and respectful manner, without subjecting the United States to the reproach of insensibility to the deepest concerns of the American Hemisphere, and perhaps to a want of sincerity in most important declarations, solemnly made by his predecessor, in the face of the Old and the New World. In yielding, therefore, to the friendly wishes of those three Republics, communicated in the notes of their respective ministers at Washington, of which copies are herewith, the United States act in perfect consistency with all their previous conduct and professions in respect to the new American States.

In regard to the States of Latin America, although all were in accord as to the object of the meeting, the great distance which separated some of them from Panama, and the internal dissensions which existed in others caused only representatives from Mexico, Central America, Colombia and Peru to attend. The Congress met from June 22 to July 15, 1826, and held ten sessions, signing, among other things, a compact of "union, league and perpetual confederation."³ Of the resolutions of the Congress, only the pact of union was ratified, and that only by Colombia.⁴

From the antecedents of the Congress of Panama it may be gathered that the Latin States had more interest in proclaiming conjointly

¹ Moore, vol. VI, page 416.

² See the instructions in Annex XXII, *post*, p. 155.

³ See the protocols of the conferences and the texts of the treaties signed there in *International American Conference*, vol. IV, pp. 173-201.

⁴ This Congress did not pass unobserved in Europe, and in some of its countries, especially in France, caused a certain uneasiness.

the Monroe Doctrine than had the United States. In the instructions which the American Government gave to its delegates it was stated that the declaration which the Congress had in view ought not to have a united character, but that each country individually should not permit, within the limits of its own territory, the establishment of new European colonies, adding that such a declaration would produce a moral effect sufficient to prevent European pretensions in this respect. Bolívar's idea was much broader: to form a confederation of all the Latin States of the New World to defend their common independence and liberty, joining with the United States for this purpose.

But the fact of not having signed a pact with this country does not imply lack of agreement in regard to the fundamental principles of the Monroe Doctrine; on the contrary, such agreement existed and the Doctrine in consequence took on a purely continental character. The assent which the States of Latin America gave to that Doctrine at the Congress of Panama, and afterwards in the course of the nineteenth century, clearly confirm our statement.

VII

After the Congress of Panama, the Latin States persevered in their idea of uniting to defend their independence and to secure peace among themselves. Upon different occasions, in 1831, 1838, and 1840, Mexico took the initiative in calling a new congress; the countries which received the invitation accepted it with enthusiasm, but the meeting never took place.

In 1846-47 the Spanish-American States believed their independence threatened by the expedition which the Ecuadorean, General Flores, was preparing in Spain; public opinion was alarmed, and the governments prepared to repel the invasion wherever it might take place. At the same time, it was believed to be necessary to hold an American assembly in order to discuss those questions and to reaffirm the principles maintained on the subject. At the suggestion of Peru, the Congress planned met in Lima, and those countries which considered themselves directly threatened—New Granada, Ecuador, Peru, Bolivia, and Chile—sent representatives. Twenty sessions were held, from December 11, 1847, to March 1, 1848, and on the 8th of February two treaties were signed, one a treaty of confederation and the other a treaty of commerce; and two conventions, one consular and the other postal.¹

¹ See Annéx XXIII, *post*, p. 168.

This Congress is worthy of mention because, among other things, it was proposed there for the first time—although the idea was not accepted—that the confederated nations should be obliged to send at least one *chargé d'affaires* to the Washington Government. This was the beginning of the Pan American Union, created toward the end of the nineteenth century in the conferences of the same name.

The war between the United States and Mexico in 1848, and afterwards the filibustering expeditions of Walker in Central America organized in the United States, aroused suspicions in various countries of Latin America. These events, as well as the desire for friendly relations, induced the representatives of Chile, Peru, and Ecuador to sign in Santiago de Chile, September 15, 1856, a compact by the name of Treaty of Union of the American States, or Continental Treaty.¹ And afterwards, in 1864, believing the independence of the Latin States threatened again, several of them gathered in a Congress in Lima, Peru, and signed two treaties, one of defensive alliance and the other for the maintenance of peace.²

In all those congresses, in addition to the pacts which they signed, the new republics upheld the ideas which had dominated since their independence, that is, they considered themselves a single family of nations, united among themselves to defend their independence and prevent European States from oppressing them or standing in the way of their destiny; that is to say, they continued to uphold and even to expand the same principles which were formulated when they were winning their independence. In some of the agreements signed by the Latin countries in the course of the nineteenth century the influence of these principles may be observed, especially in that of January 2, 1859 (Article V), between Brazil, Argentina, and Uruguay, relative to the independence of the last country.³

VIII

The United States has remained faithful to the ideas upheld by Secretary of State Clay with respect to the Monroe Doctrine, that is, that in order to secure its support it was not necessary to contract alliances with the Latin countries, and that the Government was the only judge to decide, in each case which arose, whether it should be applied or not.

In fact, in the course of the nineteenth century, the United States

¹ See Annex XXIV, *post*, p. 176.

² See Annex XXV, *post*, p. 179.

³ See Annex XXVI, *post*, p. 183.

upon various occasions has defended the independence and territorial integrity of the Latin-American States, even without being requested. On other occasions, the United States has not intervened, in spite of the fact that the countries threatened sought her support. However, this did not indicate an abandonment of the Doctrine. Finally, there have been cases in which the United States, in the name of the same Doctrine, has intervened or protested against acts planned or carried out by a European Power in the internal affairs of a Latin-American country, with the consent of the latter. Those cases of application or abstention, to which we have referred, are found in Chapter III of this work.¹

In all cases of application or abstention with respect to the Monroe Doctrine, it may be said that the United States has come to the country's support each time it suited her interests, especially when the threatened country was near her own territory; and has not applied the Doctrine when her interests did not appear directly compromised, that is to say, when the Latin country was at a great distance from her coasts.

Moreover, the United States has developed the Monroe Doctrine in the course of the nineteenth century, extending it to cases not originally contemplated by it. Two new principles sum up this development:

(A) Opposition of the United States to European countries' acquiring, on any grounds whatsoever, even with the consent of the Latin-American country involved, any portion of the latter's territory, or to any portion of the said territory's being under the protectorate of a foreign power. (Declaration by President Polk in his message of April 29, 1848, with respect to Yucatan; instructions of Secretary of State Cass of July 25, 1858, to his minister in Central America;² President Grant's declaration of May 31, 1870, proposing the annexation of Santo Domingo.)

(B) Opposition of the United States to the more or less permanent occupation by a European State, even as the result of war, of any portion whatsoever of the American continent. (Declaration, in 1840, by President Van Buren that the United States would oppose by force the military occupation of Cuba by England. In the same year the Government of Colombia, in the midst of a civil war and at the request of the English Government, authorized that Government to intervene on the Atlantic coast of Colombia, which was in the midst of

¹ *Post*, pp. 40-110.

² Moore, *Digest*, vol. VI, p. 443.

a revolution. The American representative in Bogota protested against the projected intervention as contrary to the Monroe Doctrine; the incident did not assume larger proportions.¹ Declaration of President Roosevelt in regard to the coercive measures of England, Italy, and Germany against Venezuela in 1901. Declaration of the same President in his messages of February 15 and December 5, 1905, in regard to the plan of financial intervention in Santo Domingo.)

In 1912 the Government of the United States tried to give a new construction to the Monroe Doctrine. On that date an American syndicate, which owned lands on Magdalena Bay (Mexico), entered into negotiations with a Japanese syndicate to transfer these lands to it. In consequence Senator Lodge asked the Secretary of State for explanations, for he considered this transfer dangerous to the security of the United States. On August 2 of the same year the Senate adopted a resolution to the effect that possession of a port or other point on the American continent by a foreign corporation or syndicate, which might aid the government to which the said syndicate belongs in securing military control over that port or point, should be considered a menace to the safety of the United States.² President Wilson, in his speech of October 27, 1913, at Mobile, Alabama, expressed himself strongly against the great "concessions" made by the Latin countries to foreign syndicates, and said he hoped that in future the countries referred to would be freed from this kind of burden, declaring that the United States was disposed to aid them in this.³

IX

The Latin States, for their part, have accepted the development given by the United States to the Monroe Doctrine in the two cases to which we have referred in the previous section and have even wished to amplify the Doctrine. This is quite evident in treaties signed at international congresses, in parliamentary resolutions, as well as in the utterances of eminent statesmen. Articles 1 and 2 of the treaty of confederation signed at Lima in 1848 closely follow and at the same time complete the declarations contained in the Monroe

¹ See the account of this incident in Raimundo Rivas, *Relaciones internacionales entre Colombia y los Estados Unidos, 1810-1850* (Bogota, 1915), pp. 86-94.

² In regard to this matter, see article by J. Laferrière, in *Revue générale de droit international public*, vol. XX, pp. 549 *et seq.*

³ In this connection, it should be recalled that in 1901 Bolivia had conceded to a North American syndicate, "The Bolivian Syndicate," a great tract of territory, which the former was then disputing with Brazil; the latter country strongly protested and the concession was not made in consideration of an indemnity. The treaty of Petropolis of November 17, 1903, put an end to the Bolivia-Brazil controversy.

Doctrine. By Article 13 of the treaty of continental union signed in 1856, each of the contracting parties bound itself not to cede or transfer in any form to a foreign State any part of its territory.

In 1864 the Chilean Parliament, as a protest against the formation of the Mexican Empire established by Napoleon III, and on account of the war which Spain had declared against Chile and Peru, approved a law in which the Monroe Doctrine is reaffirmed and amplified. This declaration was clearly suggested by the Congress of Lima in 1848 and the compact of continental union of 1856.¹

In his message to the Mexican Congress in 1896, President Porfirio Diaz proposed that all the countries of America proclaim that an attack by a foreign Power against the independence, territorial integrity or form of government of any one of them, be considered an attack directed individually against each one of them.²

In 1902 the Minister of Foreign Relations of Argentina, Dr. Drago, at the time of the Anglo-Italo-German intervention in Venezuela, in a communication directed to his minister in Washington, formulated, as a complement to the Monroe Doctrine, the principle of no forced payment of public debts.³ This matter was regulated in Convention II signed at the Second Hague Conference.

X

Almost at the same time that the Monroe Doctrine was proclaimed, the United States inaugurated its imperialistic policy, or policy of territorial expansion on the continent. In the middle of the century, after the war with Mexico (1848), its territory was extended to the Pacific Ocean. This circumstance, together with the development of American commerce, gave birth to a new policy on the part of the United States—the policy of hegemony or supremacy—which consists in the intervention or control, in certain cases, of this country over the countries of Central America and those situated in or bordering on the Caribbean Sea. Presidents and secretaries of state began to consider this policy of hegemony as a natural complement of the Monroe Doctrine, and to include it under this designation; the politicians and publicists did likewise. In 1856 Senator Bell of Tennessee said that the Monroe Doctrine had “become a doctrine of progressive absorption and annexation and conquest of Spanish America.”⁴

The Latin-American countries have always manifested frank op-

¹ See Annex XXVII, *post*, p. 184.

² See Annex XXVIII, *post*, p. 185.

³ See Annex XXIX, *post*, p. 187.

⁴ See *Proceedings of the American Society of International Law*, 1914, p. 84.

position, as well as great anxiety, on account of that policy of the United States, and upon more than one occasion have formed alliances to defend themselves from it. The fact too that the United States has called this policy the "Monroe Doctrine" has given rise in the other American republics to a great aversion to the Doctrine, for they look upon it ordinarily no longer under the aspect which it had in 1823 but under the new aspect which has been given it.¹

In the course of the nineteenth century the policy of hegemony of the United States passed through various phases, which it may be useful to indicate:

I. The United States upon various occasions has claimed that a European State cannot, without the consent of the former, transfer to another European State the colonies which she possesses in the New World. (Declaration of Secretary Clay in 1825 to the Governments of France and England that the Union would not permit Spain to transfer Cuba and Porto Rico to another European country; declaration of President Grant in 1870 and of Secretary Fish in the same year to the effect that the time would come when the entire American continent would be absolutely free by voluntary relinquishment on the part of European countries of the colonies which they there possess.²)

II. The policy followed with respect to Cuba from the beginning of the nineteenth century, while it was a colony. In regard to this policy, it is worth noting the declaration which was made in 1870 that the United States would look with disapproval upon Spain's contracting loans with the revenue coming from Cuba as a guaranty, Cuba being one of her colonies at the time.³

III. Intervention at the birth of a new State on the continent, by emancipation or secession, afterwards restricting its external sovereignty. That is what happened in the case of Cuba and of Panama.

IV. Intervention of the United States in the foreign affairs of certain Latin-American States when the territorial integrity of those countries was threatened. The two most conspicuous cases were its intervention in 1895 in the dispute between Venezuela and England* regarding the boundary of Guiana, and the Anglo-Italo-German intervention in Venezuela in 1903. In the first case, the Congress of the United States adopted on January 10, 1895, a resolution inviting the two parties to look with favor upon a proposal that they resort to arbitration.

¹ See *Proceedings of the American Society of International Law*, 1914, p. 84.

² Moore, *Digest*, vol. VI, pp. 431-32.

³ *Ibid.*, pp. 456-57.

V. Intervention in the internal affairs of certain Latin-American States in case of insurrection, especially in Cuba and Santo Domingo.

VI. The control which the United States desires to exercise over every interoceanic canal in the New World, for example the Panama Canal and the one planned across Nicaragua.

VII. The policy proclaimed by President Roosevelt of exercising pressure against the Latin countries which fail to fulfil their international obligations, especially pecuniary obligations.

VIII. The control exercised by the United States over the economic life of certain countries to which it has loaned money to pay creditors; this situation is ordinarily regulated by treaties, for example with the Dominican Republic, with Nicaragua, etc.

Nevertheless it should be noted that the policy of hegemony does not go so far as to claim the right of assuming, at least directly, a protectorate over the countries of Latin America. Secretary of State Sherman so declared in 1898 to the American minister to Haiti with regard to the steps taken by certain Haitians, friends of the administration of their country, to have it placed under the protection of the United States.¹

XI

The United States has solemnly affirmed the Monroe Doctrine before the whole world in the reservation made on signing the Hague Convention for the pacific settlement of international disputes.

On the other hand Secretary of State Root, at the Third Pan American Conference, and President Wilson upon various occasions, have solemnly declared that the United States will treat the Latin republics as equals, and that it does not covet their territory. President Wilson has also stated his desire that all the nations of our continent be united in defense of the Monroe Doctrine, when the weaker countries need that defense. These declarations have been unanimously interpreted in Latin America as an abandonment on the part of the United States of the policy of imperialism and hegemony, giving a new construction to Pan-Americanism, destined to dissipate the uneasiness and suspicions with respect to this country and to place upon the basis of perfect equality relations of all kinds between this great Republic and Latin America. In this way the Monroe Doctrine will not give rise to suspicions and will become a Pan-American doctrine, or doctrine of all the countries of the New World.

¹ See Moore, *Digest*, vol. VI, p. 475.

In the address that Secretary of State Hughes delivered before the American Bar Association at its meeting in Minneapolis, August 30, 1923, the nature and the scope that the statesmen of the United States give to the Doctrine are shown more clearly than in any other official document.¹

These characteristics of the Monroe Doctrine are condensed by Mr. Hughes into five principal points. From these points it appears that the Doctrine is a policy of the United States for its *self-defense* and that it is not a policy of aggression nor one of isolation; it does not infringe upon the independence and the sovereignty of the other American republics, and as regards the countries near the United States the Doctrine implies rights and obligations which it does not define. The Monroe Doctrine is therefore not opposed to *Pan-Americanism* nor to *cooperation* with Europe.

According to this conception of the Monroe Doctrine it can benefit the other countries of America, or indeed serve a general interest, but the United States maintains it principally for its own benefit. Moreover, as the Monroe Doctrine is an individual policy, the United States reserves the right to define it, to interpret it, and to apply it, and is not disposed to leave these faculties to any other authority or group of countries.

Several important consequences for international law follow from the two preceding postulates:

1. This political Doctrine is a novelty in international law, for one country proclaims a doctrine in the interest of its safety and its tranquillity without thinking whether it is or is not contrary to the policy of other countries or to the principles of international law.

The geographical situation of the United States and its political development have permitted it to proclaim such a doctrine, something which has not been done by any great Power of Europe.

2. The United States is not disposed to leave the application nor the interpretation of its doctrine to the judgment of any political or judicial power; and further, it does not even wish to be bound by its own precedents on the subject.

3. If the United States comes into conflict with another country regarding the application of the Monroe Doctrine, it may enter into diplomatic negotiations if it deems it necessary but it is not disposed in advance to submit these disputes to arbitration.

4. If we wish to give a precise statement of the political principles

¹ For text of this address, see *post*, p. 414.

that the United States includes under the Monroe Doctrine according to its own precedents, that is to say, applications made in the course of the last century, we shall say that these principles are: The original principles formulated by President Monroe in his message of 1823; the two amplifications that have taken place in the course of the last century; and finally, all the acts of hegemony of which we have above spoken. The United States would still reserve to itself the new applications of the Doctrine that it might deem necessary.

5. The States of Latin America being in agreement with the United States on the original principles of the Monroe Doctrine and on the two amplifications, it is necessary to consider them as we have above stated, as principles of American public law in the sense that every State of America may advance them in its own defense if the United States does not wish to do so. In the future it would therefore be better to reserve the expression, Monroe Doctrine, for the individual policy of the United States of which we have just spoken and not to use it for the principles which belong to American public law.

6. That according to Article 21 of the Covenant of the League of Nations the Monroe Doctrine is referred to as American public law and not the individual policy of the United States. This is a very interesting point and one which must be taken into account in future.

The most recent pronouncement of Secretary of State Hughes dealing with and interpreting the Monroe Doctrine is that which he delivered at Philadelphia, November 30, 1923, on the Centenary of the Monroe Doctrine, in which he specifically eliminated in express terms from the Doctrine all thought of imperialism or hegemony.¹

XII

The delegation from Brazil to the Fourth Pan American Conference extended a vote of thanks to the United States for the benefits which the Latin countries had received from the Monroe Doctrine in the course of the nineteenth century. This vote was considered a proposal that all those countries should reaffirm the Doctrine. With this in view, there was an interesting exchange of ideas and discussion of projects between the delegations of Argentina, Brazil, Chile, and other countries. The delegations consulted agreed to accept the Monroe Doctrine as it had been formulated in 1823; but some of them held that, in order to avoid all doubt on the subject, it was also neces-

¹ See *post*, p. 435.

CHAPTER II

THE PRINCIPLES OF THE MONROE DOCTRINE—THEIR IMPORTANCE IN THE DEVELOPMENT AND THE NEW UNDERSTANDING OF INTERNATIONAL LAW

I

We have seen in the first chapter that the States of the New World on becoming independent adopted the private law of their mother countries; but that in political matters they adopted, without any previous agreement, different principles that were quite opposed to those dominating the Old World, especially the *republican, constitutional, democratic, liberal and equal* régime.

Starting from these facts, the States of the New World developed a political system whose entirety constitutes what may be called American constitutional law, taking this expression in a broad sense, which embraces the twenty-one republics of the American continent (constitutional Pan-Americanism). This system has exercised a great influence in the development of the political institutions of those countries, as well as of those of Europe.

It was the same in the international field.

We have said that all the countries of the New World recognized that the principles of international law in force in Europe were applicable to them. Moreover, and by reason of their legal tutelage, the United States followed the principles of the so-called *English* school which is now-a-days termed *Anglo-Saxon*; the Latin States followed the so-called *Continental* or *French* school of international law.

But, the equality of political institutions, the fact that all the States of the New World were developing in geographical conditions that were almost the same, the interest that they all had in maintaining their independence and liberty, created among them, without any express agreement, a uniformity of principles and of points of view in international matters that are often different from and even opposed to those prevailing in Europe at the same time.

The Monroe Doctrine has condensed the most important of those principles of international solidarity. It has permitted the development during the nineteenth century of other manifestations of Pan-Americanism (or harmony of interests among the States of the New

World), notably in the political, economic, legal, scientific and intellectual fields, concerning which we cannot digress here.

Thus, as regards the principles of international law, the States of the New World find themselves in a characteristic situation which does not exist for the States of Europe: the United States have followed the principles of international law followed by England, forming with that country the so-called Anglo-Saxon school, whilst the Latin States hold to the principles of the French or Continental school. But, in addition, there are principles of international law that are common to all the States of the New World and which differ from those accepted by the States of Europe (international Pan-Americanism).

The Monroe Doctrine is a protest against the great international principles of law and practices in force in Europe when it made its appearance.

This *protestantism* in international law resembles protestantism in religion; it has given birth to a complete system of international law and policy which has developed in the course of the nineteenth century and has exercised, and is called upon to exercise in still greater degree, an influence in the life of the nations of America (American international law).

II

What is the international system of law and policy which the States of the New World have developed, and how far does their unity of views go in all these subjects?

The different manifestations of the international life of the States of America, in the course of the century of its existence, may be summarized in the following points:

a) There are doctrines or practices of American origin that are incorporated in universal international law; or doctrines and practices which the countries of America have generalized by agreements with the European countries at a time when they hardly received any application in Europe.

b) On questions of world interest there are doctrines, declarations or practices of the countries of America in their mutual relations that they would like to see incorporated in their positive law and in universal international law.

c) There are also on the American continent international practices, problems or situations, which occur only in America, or which take on

a special character there. These problems have been solved in accordance with the principles of international law generally accepted, or by enlarging and developing these principles, or by creating new ones adapted to the special condition of our hemisphere.

The States of America have, therefore, created or established in the course of the nineteenth century a body or conglomerate of international relations in harmony with their ideas and with their doctrines and with the special conditions of their development, and constituting what is called American international law, taking this term in a broad sense, which includes relations not only legal but also political. Among these subjects some have a fundamental character, that is to say, they relate to the very existence or development of the American States, and in this case it is said that they are of American public law. This public law and the principles which constitute it differ essentially from what is called European public law.

We can not further discuss the points that we have indicated; that would be beyond the scope of this work. Moreover, the subject may be found developed in my works: *Le droit international américain* (Paris, 1910); *La codification du droit international* (Paris, 1912); *Le droit international de l'avenir* (Washington, 1916); *La codificación del derecho internacional en América* (Santiago de Chile, 1923).

III

There is also a very interesting remark to be made touching the international relations of the countries of America, and that is that they have not developed under exactly the same influences as those of the States of Europe. On this point there are some differences that it is well to bring out.

By reason of the progress of civilization and development of means of communication, relations among the countries of Europe have often a contradictory character that has quite disconcerted statesmen and thinkers: On the one hand these relations become closer and closer and they create a distinctly economic interdependence among all the countries; but on the other hand, they are impressed with a nationalism that is very strict and which has given birth to rivalries, especially among the great Powers.

From this it results that on the continent of Europe many relations, notably those that deal with what are called the vital interests of States, are left to *policy*, whilst others, especially those that relate to what are called *international administrative services*, are governed by

legal rules, inspired by the so-called régime of *cooperation*, according to which it is the general interest that is especially taken into consideration, and not the interest of the States considered separately.

It is not exactly the same in America. Neither are the means of communication between these countries greatly developed, nor are their economic relations very close. There is, therefore, no great economic interdependence nor economic rivalry among these States. Their relations develop especially under the influence of the régime of *international solidarity* which exists among them, particularly among the Latin States, which consider themselves as forming a great family of nations.

That explains in part why the States of the New World, especially the Latin States, can reach agreements on matters in which a similar agreement is not yet possible among the States of Europe.

Further: by reason of the narrow nationalism of the great Powers of Europe, they have a tendency to bend the principles or rules of international law to meet necessities; this is what they call *policy*; whilst in America the influence of *policy* is much less, and the States of the New World follow more strictly legal principles under the inspiration of solidarity.

Thus, therefore, this distinction between the *legal* and the *political* which exists in Europe as regards international law is much less felt in America.

IV

At the present time the international ideas and principles common to all the States of America are very important in the understanding of two great subjects now occupying the attention of the whole world: The League of Nations and the Codification of International Law. We shall not speak of the first, for that would take us too far afield and beyond the limits of this work; we shall go into detail therefore only with regard to the second.

•The States of the New World wish to be guided in their reciprocal relations especially by *legal* principles which should be uniformly applied. And to this end they have desired the codification of international law.

This idea of codification, which is an old one on the American continent, has already begun to receive practical application. Indeed, the States of the New World decided at the Second and Third Pan American Conferences to undertake the codification of international

law, both public and private. In fulfilment of these agreements, a Commission of Jurists, composed of two delegates of each country of America, met at Rio de Janeiro in 1912 to proceed to codification. The Great War interrupted the work of the Commission of Jurists. The Fifth Pan American Conference, which was recently held at Santiago in Chile, decided that this Commission of Jurists should resume its work.

It also decided that the codification should be "gradual and progressive and should take as a basis the work presented at the Fifth Conference by Mr. Alejandro Alvarez, delegate of Chile, entitled *La Codificación del Derecho internacional en América*."¹

We have said in that volume that the Commission of Jurists will formulate a code of American international law in several senses, and for the following reasons: Because it is called upon only to govern the relations of the States of America; because it will proclaim the principles of our continental public law; because it will regulate the international problems and situations that present themselves upon our continent alone, or that are clothed with a character *sui generis* there; because it will, so far as possible, make uniform in our hemisphere the doctrines of the Anglo-Saxon and Continental or French schools, followed respectively by the United States and by the countries of Latin America, or will clearly bring out the differences (Pan-American school of international law); and finally, because, even in matters of world interest, the codification will be inspired preferably by the doctrines, practices and precedents of the States of America, which doctrines are simpler, more just and more liberal than those at present in force. This is due to the absence of antagonistic interests and traditions and other elements which have exerted a great influence in Europe.

Through codification American international law is about to enter upon a new phase; before it is realized it will be necessary to proceed to a reconstruction of universal international law; that is to say, to a critical study of its foundations and points of departure, in order to put them into agreement with new social institutions. Moreover, as regards the subjects which are to be codified, whether they are of world interest or American interest, new principles can be established, or those which already exist can be modified or simplified to conform to the ideas and practices prevailing upon our continent: interna-

¹ *Quinta Conferencia internacional americana, Santiago de Chile 25 de marzo-3 de mayo, 1923. Tratado, Convenciones y Resoluciones* (Washington, 1923), p. 29.

tional law having had its origin and its development in Europe, is now to be reconstructed, modified and completed by the States of the New World.

International Pan-Americanism is not egoistic and, far from having a tendency toward particularism for the American continent, tends on the contrary to render all its principles universal. In this way, if the States of America succeed in adopting a code of law, it will naturally exert a considerable influence upon the development of universal international law, notwithstanding that it is intended solely to govern the relations of the States of America.

CHAPTER III

EUROPE AND THE MONROE DOCTRINE

I. ATTITUDE OF THE EUROPEAN COUNTRIES WHEN THE MONROE DOCTRINE WAS FORMULATED

President Monroe's message of 1823 was received with great enthusiasm in England; other chancelleries in Europe did not consider it of importance and the majority of them kept silence. England's attitude was explainable by the keen interest it had in the independence of the Latin-American countries and in preserving them from the influence of the Holy Alliance. The correspondence of Mr. Canning with the Secretary of State of the United States is positive proof of this statement. However, that part of President Monroe's message relating to the non-colonization of the American continent aroused a protest from Mr. Canning himself, who qualified that pretension as an extraordinary one, adding that "the United States had no right to take umbrage at the establishment of new colonies from Europe on any such unoccupied parts of the American continent."¹ The following extracts are reprinted from Professor Moore's *Digest of International Law*:²

"When my interview with Mr. Canning, on Saturday, was about to close, I transiently asked him whether, notwithstanding the late news from Spain, we might not still hope that the Spaniards would get the better of all their difficulties. I had allusion to the defection of Ballasteros in Andalusia, an event seeming to threaten with new dangers the constitutional cause. His reply was general, importing nothing more than his opinion of the increased difficulties and dangers with which, undoubtedly, this event was calculated to surround the Spanish cause.

"Pursuing the topic of Spanish affairs, I remarked that should France ultimately effect her purposes in Spain, there was at least the consolation left that Great Britain would not allow her to go further and lay her hands upon the Spanish colonies, bringing them, too, under her grasp. I here had in my mind the sentiments promulgated upon this subject in Mr. Canning's note to the British ambassador at Paris of the 31st of March, during the negotiations that preceded the invasion of Spain. It will be recollected that the British Government say in this note that time and the course of events appeared to have substantially decided the question of the separation of these colonies from the mother country, although their formal recognition as independent states by Great Britain might be hastened or retarded by external circumstances, as well as by the internal condition of those new states themselves; and that as His Britannic Majesty

¹ Moore, *Digest*, vol. VI, p. 411.

² Vol. VI, pp. 386-92; 409-12.

disclaimed all intention of appropriating to himself the smallest portion of the late Spanish possessions in America, he was also satisfied that no attempt would be made by France to bring any of them under *her* dominion, either by conquest or by cession from Spain.

"By this we are to understand, in terms sufficiently distinct, that Great Britain would not be passive under such an attempt by France, and Mr. Canning, on my having referred to this note, asked me what I thought my Government would say to going hand in hand with this, in the same sentiment; not, as he added, that any concert in action under it could become necessary between the two countries, but that the simple fact of our being known to hold the same sentiment would, he had no doubt, by its moral effect, put down the intention on the part of France, admitting that she should ever entertain it. This belief was founded, he said, upon the large share of the maritime power of the world which Great Britain and the United States shared between them, and the consequent influence which the knowledge that they held a common opinion upon a question on which such large maritime interests, present and future, hung, could not fail to produce upon the rest of the world.

"I replied that in what manner my Government would look upon such a suggestion I was unable to say, but that I would communicate it in the same informal manner in which he threw it out. I said, however, that I did not think I should do so with full advantage, unless he would at the same time enlighten me as to the precise situation in which His Majesty's Government stood at this moment in relation to those new states, and especially on the material point of their own independence.

"He replied that Great Britain certainly never again intended to lend her instrumentality or aid, whether by mediation or otherwise, towards making up the dispute between Spain and her colonies, but that if this result could still be brought about she would not interfere to *prevent* it. Upon my intimating that I had supposed that all idea of Spain ever recovering her authority over the colonies had long since gone by, he explained by saying that he did not mean to controvert that opinion, for he, too, believed that the day had arrived when all America might be considered as lost to Europe so far as the tie of political dependence was concerned. All that he meant was, that if Spain and the colonies should still be able to bring the dispute, not yet totally extinct between them, to a close upon terms satisfactory to both sides, and which should at the same time secure to Spain commercial or other advantages not extended to other nations, that Great Britain would not object to a compromise in this spirit of preference to Spain. All that she would ask would be to stand upon as favored a footing as any other nation after Spain. Upon my again alluding to the improbability of the dispute ever settling down now even upon this basis, he said that it was not his intention to maintain such a position, and that he had expressed himself as above rather for the purpose of indicating the feeling which this cabinet still had towards Spain in relation to the controversy than of predicting results.

"Wishing, however, to be still more specifically informed, I asked whether Great Britain was at this moment taking any step, or contemplating any, which had reference to the recognition of these States, this being the point in which we felt the chief interest.

"He replied that she had taken none whatever, as yet, but was upon the eve of taking one, not final, but preparatory, and which would still leave her

at large to recognize or not, according to the position of events at a future period. The measure in question was to send out one or more individuals under authority from this Government to South America, not strictly diplomatic, but clothed with powers in the nature of a commission of inquiry, and which in short he described as analogous to those exercised by our own commissioners in 1817, and that upon the result of this commission much might depend as to the ulterior conduct of Great Britain. I asked whether I was to understand that it would comprehend all the new States, or which of them. To which he replied that for the present it would be limited to Mexico.

"Reverting to his first idea, he again said that he hoped that France would not, should even events in the Peninsula be favorable to her, extend her views to South America for the purpose of reducing the colonies, nominally, perhaps, for Spain, but in effect to subserve ends of her own; but that, in case she should meditate such a policy, he was satisfied that the knowledge of the United States being opposed to it, as well as Great Britain, could not fail to have its influence in checking her steps. In this way he thought good might be done by prevention, and peaceful prospects all around increased. As to the form in which such knowledge might be made to reach France, and even the other powers of Europe, he said, in conclusion, that that might probably be arranged in a manner that would be free from objection.

"I again told him that I would convey his suggestions to you for the information of the President, and impart to him whatever reply I might receive. My own inference rather is that his proposition was a fortuitous one; yet he entered into it, I thought, with some interest, and appeared to receive with a corresponding satisfaction the assurance I gave him that it should be made known to the President. I did not feel myself at liberty to express any opinion unfavorable to it, and was as careful to give none in its favor.

"Mr. Canning mentioned to me, at this same interview, that a late confidential dispatch which he had seen from Count Nesselrode to Count Lieven, dated, I think, in June, contained declarations respecting the Russian ukase, relative to the northwest coast, that were satisfactory; that they went to show that it would probably not be executed in a manner to give cause of complaint to other nations, and that, in particular, it had not yet been executed in any instance under orders issued by Russia subsequently to its first promulgation."

Mr. Rush, minister to England, to Mr. Adams, Secretary of State, No. 323, Aug. 19, 1823 (received Oct. 9, 1823), Cor. in relation to the Proposed Inter-oceanic Canal (Washington, 1885), 179.

See John Quincy Adams and the Monroe Doctrine, by W. C. Ford, 7 Am. Hist. Rev. 680 et seq. Also, 15 Proceedings of the Mass. Hist. Society, Jan. 1902, 412.

"MY DEAR SIR: Before leaving town I am desirous of bringing before you in a more distinct, but still in an unofficial and confidential shape, the question which we shortly discussed the last time that I had the pleasure of seeing you.

"Is not the moment come when our Governments might understand each other as to the Spanish-American colonies? And if we can arrive at such an understanding, would it not be expedient for ourselves, and beneficial for all the world, that the principles of it should be clearly settled and plainly avowed?

"For ourselves we have no disguise.

"1. We conceive the recovery of the colonies by Spain to be hopeless.

"2. We conceive the question of the recognition of them, as independent states, to be one of time and circumstances.

"3. We are, however, by no means disposed to throw any impediment in the way of an arrangement between them and the mother country by amicable negotiation.

"4. We aim not at the possession of any portion of them ourselves.

"5. We could not see any portion of them transferred to any other power with indifference.

"If these opinions and feelings are, as I firmly believe them to be, common to your Government with ours, why should we hesitate mutually to confide them to each other, and to declare them in the face of the world?

"If there be any European power which cherishes other projects, which looks to a forcible enterprise for reducing the colonies to subjugation, on the behalf or in the name of Spain, or which meditates the acquisition of any part of them to itself, by cession or by conquest, such a declaration on the part of your Government and ours would be at once the most effectual and the least offensive mode of intimating our joint disapprobation of such projects.

"It would at the same time put an end to all the jealousies of Spain with respect to her remaining colonies, and to the agitation which prevails in those colonies, an agitation which it would be but humane to allay, being determined (as we are) not to profit by encouraging it.

"Do you conceive that, under the power which you have recently received, you are authorized to enter into negotiation, and to sign any convention upon this subject? Do you conceive, if that be not within your competence, you could exchange with me ministerial notes upon it?

"Nothing could be more gratifying to me than to join with you in such a work, and I am persuaded there has seldom, in the history of the world, occurred an opportunity when so small an effort of two friendly Governments might produce so unequivocal a good, and prevent such extensive calamities. . . .

Mr. Canning, British foreign secretary, to Mr. Rush, American minister, "private and confidential," Aug. 20, 1823, Cor. in relation to the Proposed Interoceanic Canal (Washington, 1885), 182.

Also printed in 15 Proceedings of the Mass. Hist. Society, Jan. 1902, 415.

"MY DEAR SIR: Your unofficial and confidential note of the 20th instant reached me yesterday, and has commanded from me all the reflection due to the interests of its subject and to the friendly spirit of confidence upon which it is so emphatically founded.

• "The Government of the United States having, in the most formal manner, acknowledged the independence of the late Spanish provinces in America, desires nothing more anxiously than to see this independence maintained with stability, and under auspices that may promise prosperity and happiness to these new states themselves, as well as advantage to the rest of the world. As conducing to these great ends, my Government has always desired, and still desires, to see them received into the family of nations by the powers of Europe, and especially, I may add, by Great Britain.

"My Government is also under a sincere conviction that the epoch has

arrived when the interests of humanity and justice, as well as all other interests, would be essentially subserved by the general recognition of these states.

"Making these remarks, I believe I may confidently say, that the sentiments unfolded in your note are fully those which belong also to my Government.

"It conceives the recovery of the colonies by Spain to be hopeless.

"It would throw no impediment in the way of an arrangement between them and the mother country, by amicable negotiation, supposing an arrangement of this nature to be possible.

"It does not aim at the possession of any portion of those communities for or on behalf of the United States.

"It would regard as highly unjust and fruitful of disastrous consequences any attempt on the part of any European power to take possession of them by conquest, or by cession, or on any ground or pretext whatever.

"But in what manner my Government might deem it expedient to avow these principles and feelings, or express its disapprobation of such projects as the last, are points which none of my instructions, or the power which I have recently received, embrace; and they involve, I am forced to add, considerations of too much delicacy for me to act upon them in advance.

"It will yield me particular pleasure to be the organ of promptly causing to be brought under the notice of the President the opinions and views of which you have made me the depositary upon this subject, and I am of nothing more sure than that he will fully appreciate their intrinsic interest, and not less the frank and friendly feelings towards the United States in which they have been conceived and communicated to me on your part.

"Nor do I take too much upon myself when I anticipate the peculiar satisfaction the President will also derive from the intimation which you have not scrupled to afford me as to the just and liberal determinations of His Majesty's Government in regard to the colonies which still remain to Spain.

"With a full reciprocation of the personal cordiality which your note also breathes, and begging you to accept the assurances of my great respect, I have, &c."

Mr. Rush, American minister, to Mr. Canning, British foreign secretary, Aug. 23, 1823, Cor. in relation to the Proposed Interoceanic Canal (Washington, 1885), 182.

"I yesterday received from Mr. Canning a note, headed 'private and confidential,' setting before me, in a more distinct form, the proposition respecting South American affairs which he communicated to me in conversation on the 16th, as already reported in my number 323. Of his note I lose no time in transmitting a copy for your information, as well as a copy of my answer to it, written and sent this day.

"In shaping the answer on my own judgment alone, I feel that I have had a task of some embarrassment to perform, and shall be happy if it receives the President's approbation.

"I believe that this Government has the subject of Mr. Canning's proposition much at heart, and certainly his note bears, upon the face of it, a character of cordiality towards the Government of the United States which can not escape notice.

"I have therefore thought it proper to impart to my note a like character

and to meet the points laid down in his, as far as I could, consistently with other and paramount considerations.

"These I conceived to be chiefly twofold: First, the danger of pledging my Government to any measure or course of policy which might in any degree, now or hereafter, implicate it in the federative system of Europe; and, secondly, I have felt myself alike without warrant to take a step which might prove exceptional in the eyes of France, with whom our pacific and friendly relations remain, I presume, undisturbed, whatever may be our speculative abhorrence of her attack upon the liberties of Spain.

"In framing my answer, I had also to consider what was due to Spain herself, and I hope that I have not overlooked what was due to the colonies.

"The whole subject is open to views on which my mind has deliberated anxiously. If the matter of my answer shall be thought to bear properly upon the motives and considerations which belong most materially to the occasion, it will be a source of great satisfaction to me.

"The tone of earnestness in Mr. Canning's note, and the force of some of his expressions, naturally start the inference that the British cabinet can not be without its serious apprehensions that ambitious enterprises are meditated against the independence of the South American states. Whether by France alone I can not now say on any authentic grounds."

Mr. Rush, minister to England, to Mr. Adams, Secretary of State, No. 325, Aug. 23, 1823 (received Oct. 9, 1823), Cor. in relation to the Proposed Interoceanic Canal (Washington, 1885), 181.

"MY DEAR SIR: Since I wrote to you on the 20th, an additional motive has occurred for wishing that we might be able to come to some understanding on the part of our respective Governments on the subject of my letter; to come to it soon, and to be at liberty to announce it to the world.

"It is this. I have received notice, but not such a notice as imposes upon me the necessity of any immediate answer or proceeding—that so soon as the military objects in Spain are achieved (of which the French expect, how justly I know not, a very speedy achievement) a proposal will be made for a Congress, or some less formal concert and consultation, specially upon the affairs of Spanish America.

"I need not point out to you all the complications to which this proposal, however dealt with by us, may lead.

"Pray receive this communication in the same confidence with the former; and believe me with great truth," etc.

Mr. Canning to Mr. Rush, "private and confidential," Aug. 23, 1823, enclosed with Mr. Rush's No. 326 of Aug. 28, 1823, which was received at Washington, Oct. 9, 1823.

See a careful and convenient print of the correspondence in *Writings of Monroe*, by Hamilton, vi. 369 et seq.

Mr. Rush's No. 326 is printed in his *Memoranda of a Residence at the Court of London*, 420. See *John Quincy Adams and the Monroe Doctrine*, by W. C. Ford, 7 *Am. Hist. Rev.* 683.

After the dispatch to the United States of the correspondence which called forth the opinions of Jefferson and Madison, the negotiations between Canning and Rush continued, and Rush continued to make reports of his proceedings, some of which reached Washington during the deliberations of the Cabinet on the Government's policy. On the 22d of October Rush

wrote that the Spanish-American topic had been "dropped" by Canning "in a most extraordinary manner," not a word having come from Canning on the subject since the 26th of September, when Rush had an interview with him at Gloucester Lodge. The cause of this suspense Rush learned only on the 24th of November, when Canning exhibited to him at the foreign office a memorandum of a conference held with Prince de Polignac, the French ambassador, on the 9th of October. A joint minute was made of the conference, in order that each Government might have an authentic record of what passed. Canning, on the part of his Government, declared that, while Great Britain would remain neutral in any war between Spain and her colonies, the junction of any foreign power with Spain against the colonies would be viewed as constituting entirely a new question, upon which Great Britain must take such decision as her interests required; that Great Britain disclaimed any desire of appropriating any of the Spanish colonies, or of forming any political connection with them beyond that of amity and commerce, and that she sought no preference, but would be willing to see the colonies free, with Spain holding a preference. Prince de Polignac, on the part of France, reciprocally declared that his Government believed it to be utterly hopeless to reduce Spanish America to the state of its former relations to Spain. He disclaimed any intention on the part of France to appropriate any part of the Spanish possessions in America or to obtain any exclusive advantages, and declared that she would, like England, willingly see the mother country in possession of superior commercial advantages, by amicable arrangements, and would be contented to rank, after Spain, among the most favored nations. Lastly, he affirmed that France abjured, in any case, any design of acting against the colonies by force of arms.

7 Am. Hist. Rev. (July, 1902), 691; 15 Proceedings of the Mass. Hist. Soc., Jan., 1902, 382, 428; Annual Register, 1824, 485.

The following is from a "private" letter from Canning, on December 31, 1823, to Sir William à Court, British minister at Spain (Stapleton's Canning and his Times, 395): "Monarchy in Mexico and monarchy in Brazil would cure the evils of universal democracy and prevent the drawing of the line of demarcation which I most dread—American *vs.* Europe. The United States, naturally enough, aim at this division, and cherish the democracy which leads to it. But I do not much apprehend their influence, even if I believe (which I do not altogether) in all the reports of their activity in America. Mexico and they are too neighbourly to be friends. In the meantime they have aided us materially. . . . While I was yet hesitating (in September) what shape to give to the declaration and protest, which ultimately was conveyed in my conference with P. de Polignac; and while I was more doubtful as to the effect of that protest and declaration, I sounded Mr. Rush (the American minister here) as to his powers and disposition, to join in any step which we might take, to prevent a hostile enterprise on the part of the European powers against Spanish America. He had no powers; but he would have taken upon himself to join with us, if we would have begun by recognizing the Spanish-American States. This we could not do, and so we went on without. But I have no doubt that his report to his Government of this *sound*ing (which he probably represented as an overture) had a great share in producing the explicit declarations of the President."

As Stapleton remarks, Canning's position was simply that Great Britain would not permit other European powers to interfere on behalf of Spain in her contest with her American colonies. So far from assenting to the position that the "unoccupied parts of America are no longer open to colonization from Europe," he held that "the United States had no right to take umbrage at the establishment of new colonies from Europe on any such unoccupied parts of the American Continent."

The message of President Monroe was received in England "not only with satisfaction but with enthusiasm. Mr. Brougham said: 'The question with regard to Spanish America is now, I believe, disposed of, or nearly so; for an

event has recently happened than which none has ever dispersed greater joy, exultation, and gratitude over all the free men of Europe; that event, which is decisive on the subject, is the language held with respect to Spanish America in the message of the President of the United States.' Sir James Mackintosh said: 'This coincidence of the two great English commonwealths (for so I delight to call them; and I heartily pray that they may be forever united in the cause of justice and liberty) can not be contemplated without the utmost pleasure by every enlightened citizen of the earth.' This attitude of the American Government gave a decisive support to that of Great Britain, and effectually put an end to the designs of the absolutist powers of the Continent to interfere with the affairs of Spanish America. Those dynasties had no disposition to hazard a war with such a power, moral and material, as Great Britain and the United States would have presented, when united, in the defense of independent constitutional governments."

R. H. Dana, Jr., *Dana's Wheaton*, §67, note 36.

"The French troops continuing to occupy Spain after the time stipulated by treaty, Canning sought an explanation from France, but without satisfactory results. He therefore determined at a cabinet meeting held December 14, 1824, to recognize Mexico and Colombia forthwith. On January 1, 1825, after the ministers had left England with instructions and full powers, the fact of recognition was communicated officially to the diplomatic corps, and two days later it was made public."

Latané, *The Diplomatic Relations of the United States and Spanish America*, 86, citing *Official Corresp.* of Canning, II, 242, letter to Lord Granville; *Life of Lord Liverpool*, III, 297-304.

The French Minister of Foreign Affairs, Chateaubriand, declared that the Doctrine "should be resisted by all the powers having commercial or territorial interests in that hemisphere [America]." Von Gentz, an Austrian statesman, and Prince Metternich showed themselves no better disposed towards it.

On several occasions, and during the course of the nineteenth century, the Government of the United States, both by express declarations and by acts, has reaffirmed and even enlarged the principles of the Monroe Doctrine, and England and the other countries of the old continent have accepted this Doctrine either expressly or impliedly. Sometimes, however, the United States has not come out to defend these principles even when its mediation was requested by some of the Latin-American countries; but this abstention has never been considered as a relinquishment of the traditional Doctrine.

We shall now give a list of the main cases where the United States, by express declarations or by open acts, has shown itself ready to maintain that Doctrine, and where the European States by their attitude have accepted the same.

II. PRINCIPAL CASES OF APPLICATION OF THE MONROE DOCTRINE

ENGLAND

I. Since 1825 the Government of the United States has declared on several occasions that it would not consent to the transfer of the island of Cuba to any great European Power, especially England, nor to the occupation thereof.¹

"Of all the European powers, this country prefers that Cuba and Porto Rico should remain dependent on Spain. If the war should continue between Spain and the new republics, and those islands should become the object and the theater of it, their fortunes have such a connection with the prosperity of the United States that they could not be indifferent spectators; and the possible contingencies of such a protracted war might bring upon the Government of the United States duties and obligations, the performance of which, however painful it should be, they might not be at liberty to decline."

Mr. Clay, Secretary of State, to Mr. Everett, minister to Spain, April 27, 1825. The United States "could not consent to the occupation" of Cuba and Porto Rico "by any other European power than Spain, under any contingency whatever." (Mr. Clay, Secretary of State, to Mr. Brown, minister to France, Oct. 25, 1825; Am. State Papers, For. Rel. v. 855.)

Mr. Gallatin, when minister to London, tried to "impress strongly" on Canning's mind that it was "impossible that the United States could acquiesce in the conquest by or transfer of" the island of Cuba to "any great maritime power." (Mr. Gallatin to Mr. Clay, Dec. 22, 1866, 2 Gallatin's Writings, 346.)

On December 20, 1825, Mr. Clay addressed a note to the ministers of Colombia and Mexico, requesting them to prevail upon their respective governments to suspend any expedition which both or either of them might be fitting out against the islands of Cuba and Porto Rico until the sense of the Congress of Panama might be known on the subject. The President considered that such suspension might have a favorable effect upon the cause of peace, and it was also recommended by other considerations. The Colombian Government promised a substantial compliance with this request, and a copy of its reply was communicated to the Russian Government with a view to incite that Government to new efforts to bring about peace between Spain and her colonies. The Mexican Government appears to have received the request of the United States unfavorably.

Mr. Clay, Secretary of State, to Mr. A. H. Everett, minister to Spain, April 13, 1826; 44 Br. & For. State Papers, 151; Mr. Clay to Mr. Middleton, minister to Russia, May 26, 1826; Mr. Clay to Mr. Poinsett, minister to Mexico, June 23, 1826.

See, also, Mr. Clay to Mr. Middleton, Dec. 26, 1825, Am. State Papers, For. Rel. v. 850; and note of Mr. Everett to the Spanish minister of foreign affairs, Jan. 20, 1826, Am. State Papers, For. Rel. vi, 1006.

"The Government of the United States has always looked with the deepest interest upon the fate of those islands, but particularly of Cuba. Its geographical position, which places it almost in sight of our southern shores, and, as it were, gives it the command of the Gulf of Mexico and the West India seas; its safe and capacious harbours; its rich productions, the ex-

¹ The following account is reprinted from Professor Moore's *Digest*, vol. vi, pp. 447-60.

change of which, for our surplus agricultural products and manufactures, constitutes one of the most extensive and valuable branches of our foreign trade, render it of the utmost importance to the United States that no change should take place in its condition which might injuriously affect our political and commercial standing in that quarter. Other considerations, connected with a certain class of our population, make it the interest of the southern section of the Union that no attempt should be made in that island to throw off the yoke of Spanish dependence, the first effect of which would be the sudden emancipation of a numerous slave population, the result of which could not but be very sensibly felt upon the adjacent shores of the United States.

"On the other hand, the wisdom which induced the Spanish Government to relax in its colonial system, and to adopt with regard to those islands a more liberal policy, which opened their ports to general commerce, has been so far satisfactory in the view of the United States, as, in addition to other considerations, to induce this Government to desire that their possession should not be transferred from the Spanish Crown to any other power."

Mr. Van Buren, Secretary of State, to Mr. Van Ness, minister to Spain, Oct. 2, 1829; 26 Br. & For. State Papers, 1149.

See publications in 26 Br. & For. State Papers (1837-38), 1124-1159, including: Mr. Forsyth (Madrid) to Mr. Adams (Secretary), Nov. 20, 1822; Mr. Forsyth (Madrid) to Mr. Adams (Secretary), Dec. 13, 1822; Mr. Adams to Mr. Forsyth, Dec. 17, 1822; Mr. Forsyth to Mr. Adams, Feb. 10, 1823; Mr. Adams to Mr. Nelson, Apr. 28, 1823 (suggesting purchase of Cuba); Mr. Appleton (Cadiz) to Mr. Adams, July 10, 1823; Mr. Nelson to Mr. Clay (Secretary), July 10, 1825; Mr. Clay to Mr. Everett, Apr. 27, 1825; Mr. Nelson to Mr. Bermudez, June 22, 1825; Mr. Bermudez to Mr. Nelson, July 12, 1825 (stating that Spain would not part with Cuba); Mr. Everett to Mr. Clay, Sept. 25, 1825; Mr. Everett to Mr. Clay, Aug. 17, 1827; the Spanish minister at London to the minister of state, June 1, 1827; Mr. Everett to Mr. Clay, Dec. 12, 1827; confidential memorandum of Mr. Everett for the Spanish secretary of state, Dec. 10, 1827, stating, among other things, that the Government of "His Catholic Majesty can not of course be ignorant, of the movements commenced a few months ago by the British Ministry, in conjunction with the Spanish refugees in London, and now in a course of execution, for the purpose of revolutionizing the Island of Cuba and the Canaries," saying that the United States would not consent to Cuba passing to any third power, and complaining of discrimination against the United States; Mr. Van Ness (Madrid) to Mr. Forsyth (Secretary), Aug. 10, 1836, speaking of rumors of disquiet in Cuba; Mr. Van Ness to Mr. Forsyth, Dec. 10, 1836, as to the effect of Spanish political changes on Cuba; Mr. Stevenson (London) to Mr. Forsyth, June 16, 1839, as to conversation with Lord Palmerston, Mr. S. protesting against foreign interference in Cuba; Mr. Eaton (Madrid) to Mr. Forsyth, Aug. 10, 1837, stating that Mr. Villiers, British minister in Spain, disclaimed the idea of Great Britain taking Cuba.

"This Government has . . . been given to understand that if Spain should persevere in the assertion of a hopeless claim to dominion over her former colonies, they will feel it to be their duty as well as their interest to attack her colonial possessions in our vicinity—Cuba and Porto Rico. Your general instructions are full upon the subject of the interest which the United States take in the fate of those islands, and particularly of the latter [former]. They inform you that we are content that Cuba should remain as it now is, but could not consent to its transfer to any European power. Motives of reasonable state policy render it more desirable to us that it should remain subject to Spain rather than to either of the South American States. Those motives will readily present themselves to your mind. They are principally founded upon an apprehension that, if possessed by

the latter, it would, in the present state of things, be in greater danger of becoming subject to some European power than in its present condition. Although such are our own wishes and true interests, the President does not see on what ground he would be justified in interfering with any attempts which the South American States might think it for their interest, in the prosecution of a defensive war, to make upon the islands in question. If indeed an attempt should be made to disturb them by putting arms in the hands of one portion of their population to destroy another, and which, in its influence, would endanger the peace of a portion of the United States, the case might be different. Against such an attempt the United States (being informed that it was in contemplation) have already protested, and warmly remonstrated in their communications, last summer, with the Government of Mexico. But the information lately communicated to us, in this regard, was accompanied by a solemn assurance that no such measures will, in any event, be resorted to, and that the contest, if forced upon them, will be carried on, on their part, with strict reference to the established rules of civilized warfare."

Mr. Van Buren, Secretary of State, to Mr. Van Ness, minister to Spain, Oct. 13, 1830; 26 Br. & For. State Papers, 1152.

"Should you have reason to suspect any design on the part of Spain to transfer voluntarily her title to the island [Cuba], whether of ownership or possession, and whether permanent or temporary, to Great Britain, or any other power, you will distinctly state that the United States will prevent it, at all hazards, as they will any foreign military occupation for any pretext whatsoever; and you are authorized to assure the Spanish Government that in case of any attempt, from whatever quarter, to wrest from her this portion of her territory, she may securely depend upon the military and naval resources of the United States to aid her in preserving or recovering it."

Mr. Forsyth, Secretary of State, to Mr. Vail, minister to Spain, July 15, 1840; 32 Br. & For. State Papers, 861.

To the same effect, Mr. Upshur, Secretary of State, to Mr. Irving, minister to Spain, Jan. 9, 1844.

Early in 1843 a special messenger was sent to Havana to deliver in person to Mr. Campbell, the United States consul, a letter from a person of high standing in Cuba in relation to conditions there. The name of the writer of the letter was not disclosed, and he maintained an air of great secrecy, representing that he was in honor bound not to reveal to the local authorities in Cuba what he had made known to his correspondent in the United States. He declared that the situation in Cuba was dangerous and critical, and that the authorities of the island were incompetent to meet the crisis; that, in spite of the treaty of 1817 between Great Britain and Spain, the slave trade had been carried on in full vigor up to 1841; and that the British ministry and abolition societies, finding themselves foiled or eluded by the Spanish authorities, had resolved upon the total and immediate ruin of the island, and were through their agents offering independence to the creoles on condition that they would unite with the colored people in effecting a general emancipation of the slaves and in converting the government into a black military republic under British protection. With 600,000 blacks in Cuba and 800,000 in her own West India islands, Great Britain, it was said, would strike a death blow at the existence of slavery in the United States, and,

intrenched at Havana and San Antonio, would be able to close the two entrances to the Gulf of Mexico and even to prevent free passage of the commerce of the United States over the Bahama bank and through the Florida channel. Upon the strength of the last census in Cuba, the writer of the letter inferred that the white creoles would be able to preserve their rights in the future Ethiopico-Cuban republic, and that the Spaniards would leave the island at once; but he expressed the opinion that the mass of the white population in Cuba in easy circumstances, including Spaniards, would always prefer the flag of the United States to that of England. In communicating these statements to Mr. Campbell, the Department of State declared that the Government of the United States neither adopted nor rejected the speculations contained in the letter. Mr. Campbell was directed to examine and report on the allegations with scrupulous care and with as much promptness as strict secrecy and discretion would permit. It was obvious, said Mr. Webster, who was then Secretary of State, that any attempt on the part of England to employ force in Cuba, for any purpose, would bring on a war, involving, possibly, all Europe as well as the United States, and, as she could hardly fail to see this, and probably did not desire it, there might be reason to doubt the accuracy of the information given by the writer of the letter. The Spanish Government, said Mr. Webster, had repeatedly been told that the United States "never would permit the occupation of that island [Cuba] by British agents or forces upon any pretext whatsoever; and that in the event of any attempt to wrest it from her, she might securely rely upon the whole naval and military resources of this country to aid her in preserving or recovering it."

Mr. Webster, Secretary of State, to Mr. Campbell, consul at Havana, Jan. 14, 1843, 44 Br. & For. State Papers, 174; H. Ex. Doc. 121, 32 Cong. 1 sess.

See, also, Mr. Upshur, Secretary of State, to Mr. Irving, minister to Spain, Jan. 9, 1844; 32 Br. & For. State Papers, 867.

"By direction of the President, I now call your attention to the present condition and future prospects of Cuba. The fate of this island must ever be deeply interesting to the people of the United States. We are content that it shall continue to be a colony of Spain. Whilst in her possession we have nothing to apprehend. Besides, we are bound to her by the ties of ancient friendship, and we sincerely desire to render these perpetual.

"But we can never consent that this island shall become a colony of any other European power. In the possession of Great Britain or any strong naval power it might prove ruinous both to our domestic and foreign commerce, and even endanger the Union of the States. The highest and first duty of every independent nation is to provide for its own safety; and acting upon this principle, we should be compelled to resist the acquisition of Cuba by any powerful maritime State, with all the means which Providence has placed at our command.

"Cuba is almost within sight of the coast of Florida, situated between that State and the peninsula of Yucatan, and possessing the deep, capacious and impregnable fortified harbor of the Havana. If this island were under the dominion of Great Britain she could command both the inlets to the Gulf of Mexico. She would thus be enabled, in time of war, effectively to blockade the mouth of the Mississippi, and to deprive all the Western States of this Union, as well as those within the Gulf, teeming as they are with an industrious and enterprising population, of a foreign market for their

immense productions. But this is not the worst. She could also destroy the commerce by sea between our ports on the Gulf and our Atlantic ports, a commerce of nearly as great a value as the whole of our foreign trade.

"Is there any reason to believe that Great Britain desires to acquire the island of Cuba?"

"We know that it has been her uniform policy, throughout her past history, to seize upon every valuable commercial point throughout the world, whenever circumstances have placed this in her power. And what point so valuable as the island of Cuba? The United States are the chief commercial rival of Great Britain; our tonnage at the present moment is nearly equal to hers, and it will be greater, within a brief period, if nothing should occur to arrest our progress. Of what vast importance would it, then, be to her to obtain the possession of an island from which she could at any time destroy a very large portion both of our foreign and coasting trade? Besides, she well knows that if Cuba were in our possession, her West India Islands would be rendered comparatively valueless. From the extent and fertility of this island, and from the energy and industry of our people, we should soon be able to supply the markets of the world with tropical productions, at a cheaper rate than these could be raised in any of her possessions."

Mr. Buchanan, Secretary of State, to Mr. Saunders, minister to Spain, June 17, 1848; H. Ex. Doc. 121, 32 Cong. 1 sess. 42.

Mr. Saunders was informed that the United States would pay \$100,000,000 for the island, if it could not be obtained for less.

See *supra*, §118, I, 584-587.

"Whilst this Government is resolutely determined that the island of Cuba shall never be ceded by Spain to any other power than the United States, it does not desire, in future, to utter any threats, or enter into any guaranties with Spain, on that subject. Without either guaranties or threats, we shall be ready, when the time comes, to act. The news of the cession of Cuba to any foreign power would, in the United States, be the instant signal for war. No foreign power would attempt to take it, that did not expect a hostile collision with us as an inevitable consequence."

Mr. Clayton, Secretary of State, to Mr. Barringer, minister to Spain, Aug. 2, 1849.

On October 8, 1851, M. de Sartiges, French minister at Washington, informed Mr. Crittenden, Acting Secretary of State, that the French Government had issued orders to its ships of war in the West Indies to give assistance to Spain and to prevent by force the adventurers of any nation from landing with hostile intent on the island of Cuba. A few days previously the British chargé d'affaires at Washington had given official notice that his Government had issued similar orders to its naval forces. Commenting on these interviews, Mr. Crittenden said that the President regarded this action of the two powers as a matter of grave importance. The orders had no doubt been occasioned by the then recent unlawful expedition of less than 500 men which had evaded the vigilance of the United States and escaped from New Orleans. The expedition was landed by the steamer *Pampero*, in Cuba, where it was soon captured, and many of its members were executed. The President did not regard this accident as a sufficient basis for the combined action of the two great European powers. Their

object could hardly be accomplished without claiming a dangerous power of visit and search; but, apart from this, there was another point of view in which the intervention of France and England could not be viewed with indifference by the President. The geographical position of Cuba was such that it would become, in the hands of any European nation, an object of just jealousy and apprehension to the people of the United States. The Government of France and other European nations had long been officially apprised that the United States could not see without concern the island transferred by Spain to any other European state. Moreover, the people of the United States were "naturally jealous of European interference in American affairs."

Mr. Crittenden, Acting Secretary of State, to M. de Sartiges, French minister, Oct. 22, 1851.

M. de Sartiges, in a note to Mr. Crittenden, of October 27, 1851, stated that the instructions issued by his Government were (1) "spontaneous and isolated," and (2) for "an exclusive case," and were applicable "only to the class, and not to the nationality of any pirate or adventurer that should attempt to land, in arms, on the shores of a friendly power." France herself, said M. de Sartiges, was sensitive on the subject of the right of search, and the orders given to the French commander were intended to apply only to the case of piracy according to her maritime code. Moreover, the attitude assumed by President Fillmore and his Cabinet had been so upright that the French Government, far from intending to imply any doubts on the subject, had reason to believe that it would find in those same latitudes the American squadron, acting in the same spirit and pursuing a similar object.

On the 18th of November Mr. Webster replied that he had submitted M. de Sartiges' note to the President, who had directed him to say that the apprehensions of the United States and the reasons therefor were considered to have been frankly stated in Mr. Crittenden's note of the 22nd of October, and that, as M. de Sartiges "now avers that the French Government had only in view the execution of the provision of its maritime code against pirates, further discussion of the subject would seem to be for the present unnecessary." (Mr. Webster, Secretary of State, to M. de Sartiges, French minister, Nov. 18, 1851.)

See President Fillmore's message of July 13, 1852, and accompanying documents, H. Ex. Doc. 121, 31 Cong. 1 sess.

"For many reasons the United States feel deeply interested in the destiny of Cuba. They will never consent to its transfer to either of the intervening nations, or to any other foreign state. They would regret to see foreign powers interfere to sustain Spanish rule in the island should it provoke resistance too formidable to be overcome by Spain herself."

Mr. Marcy, Secretary of State, to Mr. Buchanan, minister to England, July 2, 1853.

"Nothing will be done, on our part, to disturb its [Cuba's] present connexion with Spain, unless the character of that connexion should be so changed as to affect our present or prospective security. While the United States would resist at every hazard the transference of Cuba to any European nation, they would exceedingly regret to see Spain resorting to any power for assistance to uphold her rule over it. Such a dependence on foreign aid would, in effect, invest the auxiliary with the character of a protector, and give it a pretext to interfere in our affairs, and also generally in those of the North American continent."

Mr. Marcy, Secretary of State, to Mr. Soulé, minister to Spain, July 23, 1853, H. Ex. Doc. 93, 33 Cong. 2 sess. 3; same to same, Apr. 3, 1854, and Nov. 13, 1854, id. 80, 134.

"Should the rule of Spain over Cuba be so severe as to excite revolutionary movements in that island, she will undoubtedly find volunteers in the ranks of the Cubans from various countries, and, owing to very obvious causes, more from the United States probably than from any other; but it would be unjust to impute to this and the other governments to which those volunteers formerly belonged, an unfriendly disposition towards her, or a desire to aid clandestinely in the attempt to wrest that island from her. There is reason to believe that Spain herself, as well as other European governments, suspects that the people of the United States are desirous of detaching Cuba from its present transatlantic dependence, regardless of the rights of Spain, with a view of annexing it to this Union, and that our Government was disposed to connive at the participation of our citizens in the past disturbances in that island, and would again do so on the recurrence of similar events. Our defense against such an unfounded suspicion, and the only one which self-respect allows us to make, is an appeal to our past course."

Mr. Marcy, Secretary of State, to Mr. Soulé, July 23, 1853, H. Ex. Doc. 93, 33 Cong. 2 sess. 3, 4.

As to the seizure of the *Black Warrior*, see H. Ex. Docs. 76 and 86, 33 Cong. 1 sess.; H. Ex. Doc. 93, 33 Cong. 2 sess.

As to the Ostend Manifesto, see Mr. Marcy, Secretary of State, to Mr. Soulé, minister to Spain, No. 27, Nov. 13, 1854, H. Ex. Doc. 93, 33 Cong. 2 sess. 134; and Curtis's Life of Buchanan, II, 136 et seq.

"The truth is, that Cuba, in its existing colonial condition, is a constant source of injury and annoyance to the American people. It is the only spot in the civilized world where the African slave trade is tolerated; and we are bound by treaty with Great Britain to maintain a naval force on the coast of Africa, at much expense both of life and treasure, solely for the purpose of arresting slavers bound to that island. The late serious difficulty between the United States and Great Britain respecting the right of search, now so happily terminated, could never have arisen if Cuba had not afforded a market for slaves. . . .

"It has been made known to the world by my predecessors that the United States have on several occasions endeavored to acquire Cuba from Spain by honorable negotiation. . . . We would not, if we could, acquire Cuba in any other manner. This is due to our national character. All the territory which we have acquired since the origin of the Government has been by fair purchase from France, Spain, and Mexico, or by the free and voluntary act of the independent State of Texas in blending her destinies with our own. This course we shall ever pursue, unless circumstances should occur which we do not now anticipate, rendering a departure from it clearly justifiable under the imperative and overruling law of self-preservation.

"The Island of Cuba, from its geographical position, commands the mouth of the Mississippi and the immense and annually increasing trade, foreign and coastwise, from the valley of that noble river, now embracing half the sovereign States of the Union. With that island under the dominion of a distant foreign power this trade, of vital importance to these States, is exposed to the danger of being destroyed in time of war, and it has hitherto been subjected to perpetual injury and annoyance in time of peace. . . .

"Whilst the possession of the island would be of vast importance to the United States its value to Spain is comparatively unimportant. Such was the relative situation of the parties when the great Napoleon transferred Louisiana to the United States."

President Buchanan, annual message, Dec. 6, 1858; Richardson's Messages, v, 510.

Mr. Slidell's report on acquisition of Cuba, Jan. 24, 1859, is in S. Rept. 351, 35 Cong. 2 sess.

For minority report, of Jan. 24, 1859, of committee in the House of Representatives, objecting to the bill appropriating \$30,000,000 for the purchase of Cuba, see H. Rept. 134, 35 Cong. 2 sess.

On May 7, 1867, Mr. Seward had a confidential interview with Mr. Goni, Spanish minister, upon the subject of the condition of Cuba and its connection with Spain. Mr. Seward intimated an opinion that Cuba would eventually, "by means of constant gravitation," "fall into the United States, without the practice of any injustice or unfriendliness and with the consent of the people of the island and of the Government of Spain." The United States, said Mr. Seward, were content that Cuba should indefinitely remain a colony of Spain, but they must regard with very great concern its transfer to any foreign power; and the subject had recently been forced upon his thoughts for the reason (1) that Cuba, being so near the United States, still remained a slave-holding province; (2) that a change in the relations of Cuba and Spain had more than once been suggested in quarters hostile to the Spanish Government; (3) that it was reported that a pledge of the financial chest of Cuba had been offered by the Spanish Government to American capitalists as security for a loan, and that the suggestion had been made that Congress might think it well to accept the pledge and lend its credit to such a loan; (4) that a report, apparently originating in Madrid, had been published to the effect that the Spanish Government had offered the Cuban revenues to French capitalists as security for a loan. In view of these facts Mr. Seward thought it proper to say to Mr. Goni that, if the Government of Spain either had or should have a desire to sell the island or pledge its revenues, it was hoped that they would make their wishes known to the United States before concluding an arrangement for such a purpose with the government or subjects of any other nation. Mr. Seward said that he would ask no reply, and that the suggestion might remain under the seal of confidence.

Memorandum of Mr. Seward, May 7, 1867.

Rumors having reached Washington that the Spanish Government was attempting to negotiate a loan in London or Paris with the revenues of Cuba as security, the American minister at London was instructed, while avoiding "an offensive attitude of interference," to say, in case he should find the rumors to be well founded, "that, in view of assurances given to this Government by the Spanish authorities, the United States can not regard such hypothecation or pledge with favor." The Government of the United States could not look with favor upon any arrangement which might "hypothecate or pledge the revenues of that island, or compromise any interests connected therewith, or give to any foreign government a right to interpose in the affairs of Cuba."

Mr. Fish, Secretary of State, to Mr. Motley, minister to England, Jan. 10, 1870.

A similar instruction was addressed to Mr. Washburne, at Paris, with whom Mr. Motley was authorized to correspond on the subject, if necessary.

Referring, nearly a year later, to a report that the Spanish Government intended to ask authority from the Cortes to raise a considerable loan on the pledge of the revenues of Cuba, Mr. Fish said: "The relations of this Government towards the island of Cuba are such that, while ourselves abstaining scrupulously from any effort

to hasten the time when we believe that the connection of the island with Spain must cease, we can not contemplate with indifference, or in silence, any measures which may promise to give any possible ground of claim on the part of any foreign power to acquire any rights of ownership, or control, over that island or its revenues." (Mr. Fish, Secretary of State, to Mr. Moran, chargé at London, Dec. 1, 1870.)

As a matter of fact such a pledge of the revenues of Cuba was subsequently given by the Spanish Government. (S. Doc. 62, 55 Cong. 3 sess. part 2, pp. 48-50 et seq.)

On August 21, 1825, Mr. King, American minister at London, transmitting a proposal from Canning that the United States, Great Britain, and France should sign either of three ministerial notes—one between Great Britain and the United States, one between the United States and France, and one between France and Great Britain—or else one tripartite note, signed by all, disclaiming each for itself any intention to occupy Cuba and protesting against such an occupation by either of the others. This proposal was declined by the United States, first, on the ground that to allay the apprehensions of the King of Spain with regard to the seizure of his colonial possessions by another power, might induce him to desire to prolong the war with his colonies. Viewing the matter in another light, the Government of the United States considered it unnecessary to make any declaration on its own part because of its pacific policy and the forbearance which it had already shown. Nor was any apprehension felt that Great Britain would entertain "views of aggrandizement in regard to Cuba, which could not fail to lead to a rupture with the United States." The case of France might be different, and the fact that instructions had been given to the commander of the French forces in the West Indies to aid the governor of Havana in quelling internal disturbances, proved that the French Government had deliberated on a contingent occupation of Cuba; and possession once gained, it might be retained under one pretext or another. "With the view, therefore," said the Government of the United States, "of binding France by some solemn and authentic act to the same course of forbearance which the United States and Great Britain have mutually prescribed to themselves, the President sees no great objection, at present, to acceding to one or other of the two alternatives contained in Mr. Canning's proposal. As information, however, is shortly expected from Russia as to the manner in which the Emperor has received the invitation to employ his friendly offices to bring about a peace, no instruction will now be given you as to the definitive answer to be communicated to the British Government. In the meantime you are authorized to disclose to it the sentiments and views contained in this dispatch."

Mr. Clay, Secretary of State, to Mr. King, minister to England, Oct. 17, 1825.

On September 8, 1825, Canning wrote to Mr. King that the French Government, after having encouraged the overture of the British ambassador in a manner which led him to believe that France would willingly concur in the proposed declaration respecting the Spanish islands, had suddenly changed its language and formally declined to accede to the proposal. Under these circumstances, it seemed to the President to be altogether useless and improper for the United States to unite with Great Britain in repeating the proposal to France; and the United States instructed its minister at Paris to inform the French Government that under no contingency, with or without the consent of Spain, could the United States agree to the occupation of Cuba or Porto Rico by France.

Mr. Clay, Secretary of State, to Mr. King, minister to England, Oct. 26, 1825.

As to the attitude which the United States would assume in case one of the South American States then at war with Spain should attack Cuba and carry on the war in a "desolating manner," see Mr. Clay, Secretary of State, to Mr. Middleton, minister to Russia, Dec. 26, 1825, Am. State Papers, For. Rel. v. 850.

On December 7, 1825, Mr. Clay instructed Mr. Thomas B. Robertson, of New Orleans, to go to Cuba as a confidential agent to report on the condition of affairs in the island. March 12, 1827, Mr. Clay appointed Daniel P. Cook as a confidential agent to Cuba for a similar purpose. On March 30, 1829, James A. Hamilton, as Acting Secretary of State, instructed Richard K. Call to proceed to Cuba as a special agent. The object of Call's visit, however, was to obtain documents relating to land titles in the Floridas.

"Mr. Rives writes that a treaty has been entered into between France, Spain, and Great Britain to guarantee Cuba to Spain; but does not send it, or its contents or date. The English *chargé* gives us notice that England has ordered her vessels to protect Cuba against the unlawful invasion from this country, but says he knows of no treaty. Mr. Rives has been written to for further information. It appears to me that such a step on the part of Great Britain is ill-advised; and, if the attempt upon Cuba shall be resumed (which I trust they [*sic*] will not be), any attempt to prevent such expeditions by British cruisers must necessarily involve a right of search into our whole mercantile marine in those seas, to ascertain who ought to be arrested, and who ought to pass, and this would be extremely annoying, and well calculated to disturb the friendly relations now existing between the two Governments."

President Fillmore to Mr. Webster, Secretary of State, Washington, Oct. 2, 1851,
2 Curtis's Life of Webster, 551.

"The information communicated by Mr. Rives, if true, may become important; but we must wait, to learn its particulars. I doubt exceedingly whether the English Government would do so rash a thing as to interfere with American vessels, on the seas, under pretense of their containing Cuban invaders. This could never be submitted to. I do not think that any further attempt is likely to be made at present, by these lawless people, as I do not see where they can now raise the funds, and therefore I hope we may have no more trouble. If an official communication be made to us of such a treaty as Mr. Rives supposes may have been entered into, it will deserve close consideration. We must look to our own antecedents. In General Jackson's time, it was intimated to Spain, by our Government, that if she would not cede Cuba to any European power, we would assist her in maintaining possession of it. A lively fear existed, at that time, that England had designs upon the island. The same intimation was given to Spain, through Mr. Irving, when I was formerly in the Department of State. Mr. J. Quincy Adams often said that, if necessary, we ought to make war with England sooner than to acquiesce in her acquisition of Cuba. It is indeed obvious enough what danger there would be to us, if a great naval power were to possess this key to the Gulf of Mexico and the Caribbean Sea. Before receiving your letter, I had made up my mind that, if this matter of the treaty between England and France should be announced to us, and should seem to require immediate attention, I would hasten to Washington."

Mr. Webster, Secretary of State, to President Fillmore, Marshfield, Oct. 4, 1851,
2 Curtis's Life of Webster, 551.

For an account of the application of the doctrine of intervention to the West Indies by European powers, and of the position of the United States, see Phillimore Int. Law, I (3d ed.), 600.

Reports made by heads of Departments on June 3 and June 19, 1850, on revolutionary movement in Cuba, will be found in S. Ex. Doc. 57, 31 Cong. 1 sess.

"There is no doubt that Lord Malmesbury has justly described the course of policy which has influenced the Government of the United States heretofore in regard to the island of Cuba. It has been stated, and often repeated, to the Government of Spain by this Government, under various administrations, not only that the United States have no design upon Cuba themselves, but that if Spain should refrain from a voluntary cession of the island to any other European power, she might rely on the countenance and friendship of the United States, to assist her in the defense and preservation of that island. At the same time it has always been declared to Spain that the Government of the United States could not be expected to acquiesce in the cession of Cuba to an European power. The undersigned is happy in being able to say that the present Executive of the United States entirely approves of this past policy of the Government, and fully concurs in the general sentiments expressed by Lord Malmesbury, and understood to be identical with those entertained by the Government of France. The President will take Mr. Crampton's communication into consideration, and give it his best reflections. But the undersigned deems it his duty, at the same time, to remind Mr. Crampton and, through him, his Government, that the policy of the United States has uniformly been to avoid, as far as possible, alliances or agreements with other states, and to keep itself free from national obligations, except such as affect directly the interests of the United States themselves."

Mr. Webster, Secretary of State, to Mr. Crampton, British minister, April 29, 1852, 44 Br. & For. State Papers, 122.

An identic note was sent to the French minister. (Mr. Webster, Secretary of State, to M. de Sartiges, April 29, 1852.)

II. In 1852 the Government of the United States refused to sign a treaty proposed by England and France, whereby these three countries would disclaim all intention to obtain possession of the island of Cuba.¹

"You are well acquainted with the melancholy circumstances which have hitherto prevented a reply to the note which you addressed to my predecessor on the 8th of July.

"That note, and the instruction of M. de Turgot of the 31st March, with a similar communication from the English minister, and the *projet* of a convention between the three powers relative to Cuba, have been among the first subjects to which my attention has been called by the President.

"The substantial portion of the proposed convention is expressed in a single article in the following terms:

"The high contracting parties hereby, severally and collectively, disclaim, now and for hereafter, all intention to obtain possession of the island of Cuba, and they respectively bind themselves to discountenance all attempt to that effect on the part of any power or individuals whatever."

¹ The following quotations from correspondence on this subject are taken from Professor Moore's *Digest*, vol. VI, pp. 460-71.

“ ‘The high contracting parties declare, severally and collectively, that they will not obtain or maintain for themselves, or for any one of themselves, any exclusive control over the said island, nor assume nor exercise any dominion over the same.’

“The President has given the most serious attention to this proposal, to the notes of the French and British ministers accompanying it, and to the instructions of M. de Turgot and the Earl of Malmesbury, transmitted with the project of the convention, and he directs me to make known to you the view which he takes of this important and delicate subject.

“The President fully concurs with his predecessors, who have on more than one occasion authorized the declaration referred to by M. de Turgot and Lord Malmesbury, that the United States could not see with indifference the island of Cuba fall into the possession of any other European Government than Spain; not, however, because we should be dissatisfied with any natural increase of territory and power on the part of France or England. France has, within twenty years, acquired a vast domain on the northern coast of Africa, with a fair prospect of indefinite extension. England, within half a century, has added very extensively to her Empire. These acquisitions have created no uneasiness on the part of the United States.

“In like manner, the United States have, within the same period, greatly increased their territory. The largest addition was that of Louisiana, which was purchased from France. These accessions of territory have probably caused no uneasiness to the great European powers, as they have been brought about by the operation of natural causes, and without any disturbance of the international relations of the principal states. They have been followed, also, by a great increase of mutually beneficial commercial intercourse between the United States and Europe.

“But the case would be different in reference to the transfer of Cuba from Spain to any other European power. That event could not take place without a serious derangement of the international system now existing, and it would indicate designs in reference to this hemisphere which could not but awaken alarm in the United States.

“We should view it in somewhat the same light in which France and England would view the acquisition of some important island in the Mediterranean by the United States, with this difference, it is true; that the attempt of the United States to establish themselves in Europe would be a novelty, while the appearance of a European power in this part of the world is a familiar fact. But this difference in the two cases is merely historical, and would not diminish the anxiety which, on political grounds, would be caused by any great demonstration of European power in a new direction in America.

“M. de Turgot states that France could never see with indifference the possession of Cuba by *any* power but Spain, and explicitly declares that she has no wish or intention of appropriating the island to herself; and the English minister makes the same avowal on behalf of his Government. M. de Turgot and Lord Malmesbury do the Government of the United States no more than justice in remarking that they have often pronounced themselves substantially in the same sense. The President does not covet the acquisition of Cuba for the United States; at the same time, he considers the condition of Cuba as mainly an American question. The proposed convention proceeds on a different principle. It assumes that the United States have no other or greater interest in the question than France or

England; whereas it is necessary only to cast one's eye on the map to see how remote are the relations of Europe, and how intimate those of the United States, with this island.

"The President, doing full justice to the friendly spirit in which his concurrence is invited by France and England, and not insensible to the advantages of a good understanding between the three powers in reference to Cuba, feels himself, nevertheless, unable to become a party to the proposed compact, for the following reasons:

"It is, in the first place, in his judgment, clear (as far as the respect due from the Executive to a coordinate branch of the Government will permit him to anticipate its decision) that no such convention would be viewed with favor by the Senate. Its certain rejection by that body would leave the question of Cuba in a more unsettled position than it is now. This objection would not require the President to withhold his concurrence from the convention if no other objection existed, and if a strong sense of the utility of the measure rendered it his duty, as far as the executive action is concerned, to give his consent to the arrangement. Such, however, is not the case.

"The convention would be of no value unless it were lasting; accordingly its terms express a perpetuity of purpose and obligation. Now, it may well be doubted whether the Constitution of the United States would allow the treaty-making power to impose a permanent disability on the American Government for all coming time, and prevent it, under any future change of circumstances, from doing what has been so often done in times past. In 1803 the United States purchased Louisiana of France; and in 1819 they purchased Florida of Spain. It is not within the competence of the treaty-making power in 1852 effectually to bind the Government in all its branches; and, for all coming time, not to make a similar purchase of Cuba. A like remark, I imagine, may be made even in reference both to France and England, where the treaty-making power is less subject than it is with us to the control of other branches of the Government.

"There is another strong objection to the proposed agreement. Among the oldest traditions of the Federal Government is an aversion to political alliances with European powers. In his memorable farewell address, President Washington says: 'The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.' President Jefferson, in his inaugural address in 1801, warned the country against 'entangling alliances.' This expression, now become proverbial, was unquestionably used by Mr. Jefferson in reference to the alliance with France of 1778—an alliance, at the time, of incalculable benefit to the United States; but which, in less than twenty years, came near involving us in the wars of the French revolution, and laid the foundation of heavy claims upon Congress, not extinguished to the present day. It is a significant coincidence, that the particular provision of the alliance which occasioned these evils was that, under which France called upon us to aid her in defending her West Indian possessions against England. Nothing less than the unbounded influence of Washington rescued the Union from the perils of that crisis, and preserved our neutrality.

"But the President has a graver objection to entering into the proposed convention. He has no wish to disguise the feeling that the compact, although equal in its terms, would be very unequal in substance. France and

England, by entering into it, would disable themselves from obtaining possession of an island remote from their seats of government, belonging to another European power, whose natural right to possess it must always be as good as their own—a distant island in another hemisphere, and one which by no ordinary or peaceful course of things could ever belong to either of them. If the present balance of power in Europe should be broken up, if Spain should become unable to maintain the island in her possession, and France and England should be engaged in a death struggle with each other, Cuba might then be the prize of the victor. Till these events all take place, the President does not see how Cuba can belong to any European power but Spain.

“The United States, on the other hand, would, by the proposed convention, disable themselves from making an acquisition which might take place without any disturbance of existing foreign relations, and in the natural order of things. The island of Cuba lies at our doors. It commands the approach to the Gulf of Mexico, which washes the shores of five of our States. It bars the entrance of that great river which drains half the North American continent, and with its tributaries forms the largest system of internal water-communication in the world. It keeps watch at the door-way of our intercourse with California by the Isthmus route. If an island like Cuba, belonging to the Spanish Crown, guarded the entrance of the Thames and the Seine, and the United States should propose a convention like this to France and England, those powers would assuredly feel that the disability assumed by ourselves was far less serious than that which we asked them to assume.

“The opinions of American statesmen, at different times, and under varying circumstances, have differed as to the desirableness of the acquisition of Cuba by the United States. Territorially and commercially it would, in our hands, be an extremely valuable possession. Under certain contingencies it might be almost essential to our safety. Still, for domestic reasons, on which, in a communication of this kind, it might not be proper to dwell, the President thinks that the incorporation of the island into the Union at the present time, although effected with the consent of Spain, would be a hazardous measure; and he would consider its acquisition by force, except in a just war with Spain, (should an event so greatly to be deprecated take place,) as a disgrace to the civilization of the age.

“The President has given ample proof of the sincerity with which he holds these views. He has thrown the whole force of his constitutional power against all illegal attacks upon the island. It would have been perfectly easy for him, without any seeming neglect of duty, to allow projects of a formidable character to gather strength by connivance. No amount of obloquy at home, no embarrassments caused by the indiscretions of the colonial government of Cuba, have moved him from the path of duty in this respect. The captain-general of that island, an officer apparently of upright and conciliatory character, but probably more used to military command than the management of civil affairs, has, on a punctilio in reference to the purser of a private steamship, (who seems to have been entirely innocent of the matters laid to his charge,) refused to allow passengers and the mails of the United States to be landed from a vessel having him on board. This certainly is a very extraordinary mode of animadverting upon a supposed abuse of the liberty of the press by the subject of a foreign Government in his native country. The captain-general is not permitted by his Government, 3,000 miles off, to hold any diplomatic intercourse with

the United States. He is subject in no degree to the direction of the Spanish minister at Washington; and the President has to choose between a resort to force, to compel the abandonment of this gratuitous interruption of commercial intercourse, (which would result in war,) and a delay of weeks and months, necessary for a negotiation with Madrid, with all the chances of the most deplorable occurrences in the interval—and all for a trifle, that ought to have admitted a settlement by an exchange of notes between Washington and the Havana. The President has, however, patiently submitted to these evils, and has continued faithfully to give to Cuba the advantages of those principles of the public law under the shelter of which she has departed, in this case, from the comity of nations. But the incidents to which I allude, and which are still in train, are among many others which point decisively to the expediency of some change in the relations of Cuba; and the President thinks that the influence of France and England with Spain would be well employed in inducing her so to modify the administration of the Government of Cuba as to afford the means of some prompt remedy for evils of the kind alluded to, which have done much to increase the spirit of unlawful enterprise against the island.

“That a convention such as is proposed would be a transitory arrangement, sure to be swept away by the irresistible tide of affairs in a new country, is, to the apprehension of the President, too obvious to require a labored argument. The project rests on principles applicable, if at all, to Europe, where international relations are, in their basis, of great antiquity, slowly modified, for the most part, in the progress of time and events; and not applicable to America, which, but lately a waste, is filling up with intense rapidity, and adjusting on natural principles those territorial relations which, on the first discovery of the continent, were in a good degree fortuitous.

“The comparative history of Europe and America, even for a single century, shows this. In 1752 France, England, and Spain were not materially different in their political position in Europe from what they are now. They were ancient, mature, consolidated states, established in their relations with each other and the rest of the world—the leading powers of western and southern Europe. Totally different was the state of things in America. The United States had no existence as a people; a line of English colonies, not numbering much over a million of inhabitants, stretched along the coast. France extended from the Bay of Saint Lawrence to the Gulf of Mexico, and from the Alleghanies to the Mississippi; beyond which, westward, the continent was a wilderness, occupied by wandering savages, and subject to a conflicting and nominal claim on the part of France and Spain. Everything in Europe was comparatively fixed; everything in America provisional, incipient, and temporary, except the law of progress, which is as organic and vital in the youth of states as of individual men. A struggle between the provincial authorities of France and England for the possession of a petty stockade at the confluence of the Monongahela and Alleghany, kindled the seven years’ war; at the close of which, the great European powers, not materially affected in their relations at home, had undergone astonishing changes on this continent. France had disappeared from the map of America, whose inmost recesses had been penetrated by her zealous missionaries and her resolute and gallant adventurers; England had added the Canadas to her transatlantic dominions; Spain had become the mistress of Louisiana, so that, in the language of the archbishop of Mexico, in 1770, she claimed Siberia as the northern boundary of New Spain.

"Twelve years only from the treaty of Paris elapsed, and another great change took place, fruitful of still greater changes to come. The American Revolution broke out. It involved France, England, and Spain in a tremendous struggle, and at its close the United States of America had taken their place in the family of nations. In Europe the ancient states were restored substantially to their former equilibrium; but a new element, of incalculable importance in reference to territorial arrangements, is henceforth to be recognized in America.

"Just twenty years from the close of the war of the American Revolution, France, by a treaty with Spain—of which the provisions have never been disclosed—possessed herself of Louisiana, but did so only to cede it to the United States; and in the same year Lewis and Clark started on their expedition to plant the flag of the United States on the shores of the Pacific. In 1819 Florida was sold by Spain to the United States, whose territorial possessions in this way had been increased threefold in half a century. This last acquisition was so much a matter of course that it had been distinctly foreseen by the Count Aranda, then prime minister of Spain, as long ago as 1783.

"But even these momentous events are but the forerunners of new territorial revolutions still more stupendous. A dynastic struggle between the Emperor Napoleon and Spain, commencing in 1808, convulsed the peninsula. The vast possessions of the Spanish Crown on this continent—vice-royalties and captain-generalships, filling the space between California and Cape Horn—one after another, asserted their independence. No friendly power in Europe, at that time, was able, or, if able, was willing, to succor Spain, or aid her to prop the crumbling buttresses of her colonial empire. So far from it, when France, in 1823, threw an army of one hundred thousand men into Spain to control her domestic policies, England thought it necessary to counteract the movement by recognizing the independence of the Spanish provinces in America. In the remarkable language of the distinguished minister of the day, in order to redress the balance of power in Europe, he called into existence a New World in the West—somewhat overrating, perhaps, the extent of the derangement in the Old World, and not doing full justice to the position of the United States in America, or their influence on the fortunes of their sister republics on this continent.

"Thus, in sixty years from the close of the seven years' war, Spain, like France, had lost the last remains of her once imperial possessions on this continent. The United States, meantime, were, by the arts of peace and the healthful progress of things, rapidly enlarging their dimensions and consolidating their power.

"The great march of events still went on. Some of the new republics, from the effect of a mixture of races, or the want of training in liberal institutions, showed themselves incapable of self-government. The province of Texas revolted from Mexico by the same right by which Mexico revolted from Spain. At the memorable battle of San Jacinto, in 1836, she passed the great ordeal of nascent states, and her independence was recognized by this Government, by France, by England, and other European powers. Mainly peopled from the United States, she sought naturally to be incorporated into the Union. The offer was repeatedly rejected by Presidents Jackson and Van Buren, to avoid a collision with Mexico. At last the annexation took place. As a domestic question, it is no fit subject for comment in a communication to a foreign minister; as a question of public law,

there never was an extension of territory more naturally or justifiably made.

"It produced a disturbed relation with the Government of Mexico; war ensued, and in its results other extensive territories were for a large pecuniary compensation on the part of the United States, added to the Union. Without adverting to the divisions of opinion which arose in reference to this war, as must always happen in free countries in reference to great measures, no person surveying these events with the eye of a comprehensive statesmanship can fail to trace in the main result the undoubted operation of the law of our political existence. The consequences are before the world. Vast provinces, which had languished for three centuries under the leaden sway of a stationary system, are coming under the influences of an active civilization. Freedom of speech and the press, the trial by jury, religious equality, and representative government, have been carried by the Constitution of the United States into extensive regions in which they were unknown before. By the settlement of California, the great circuit of intelligence round the globe is completed. The discovery of the gold of that region—leading, as it did, to the same discovery in Australia—has touched the nerves of industry throughout the world. Every addition to the territory of the American Union has given homes to European destitution and gardens to European want. From every part of the United Kingdom, from France, from Switzerland and Germany, and from the extremest north of Europe, a march of immigration has been taken up, such as the world has never seen before. Into the United States—grown to their present extent in the manner described—but little less than half a million of the population of the Old World is annually pouring, to be immediately incorporated into an industrious and prosperous community, in the bosom of which they find political and religious liberty, social position, employment, and bread. It is a fact which would defy belief, were it not the result of official inquiry, that the immigrants to the United States from Ireland alone, besides having subsisted themselves, have sent back to their kindred, for the three last years, nearly five million of dollars annually; thus doubling in three years the purchase money of Louisiana.

"Such is the territorial development of the United States in the past century. Is it possible that Europe can contemplate it with an unfriendly or jealous eye? What would have been her condition in these trying years but for the outlet we have furnished for her starving millions?

"Spain, meantime, has retained of her extensive dominions in this hemisphere but the two islands of Cuba and Porto Rico. A respectful sympathy with the fortunes of an ancient ally and a gallant people, with whom the United States have ever maintained the most friendly relations, would, if no other reason existed, make it our duty to leave her in the undisturbed possession of this little remnant of her mighty trans-Atlantic empire. The President desires to do so; no word or deed of his will ever question her title or shake her possession. But can it be expected to last very long? Can it resist this mighty current in the fortunes of the world? Is it desirable that it should do so? Can it be for the interest of Spain to cling to a possession that can only be maintained by a garrison of twenty-five or thirty thousand troops, a powerful naval force, and an annual expenditure for both arms of the service of at least twelve millions of dollars? Cuba, at this moment, costs more to Spain than the entire naval and military establishment of the United States costs the Federal Government. So far from being really

injured by the loss of this island, there is no doubt that, were it peacefully transferred to the United States, a prosperous commerce between Cuba and Spain, resulting from ancient associations and common language and tastes, would be far more productive than the best contrived system of colonial taxation. Such, notoriously, has been the result to Great Britain of the establishment of the independence of the United States. The decline of Spain from the position which she held in the time of Charles the Fifth is coeval with the foundation of her colonial system; while within twenty-five years, and since the loss of most of her colonies, she has entered upon a course of rapid improvement unknown since the abdication of that Emperor.

"I will but allude to an evil of the first magnitude: I mean the African slave-trade, in the suppression of which France and England take a lively interest—an evil which still forms a great reproach upon the civilization of Christendom, and perpetuates the barbarism of Africa, but for which it is to be feared there is no hope of a complete remedy while Cuba remains a Spanish colony.

"But, whatever may be thought of these last suggestions, it would seem impossible for anyone who reflects upon the events glanced at in this note to mistake the law of American growth and progress, or think it can be ultimately arrested by a convention like that proposed. In the judgment of the President, it would be as easy to throw a dam from Cape Florida to Cuba, in the hope of stopping the flow of the Gulf Stream, as to attempt, by a compact like this, to fix the fortunes of Cuba 'now and for hereafter'; or, as expressed in the French text of the convention, 'for the present as for the future,' (*pour le présent comme pour l'avenir*,) that is, for all coming time. The history of the past—of the recent past—affords no assurance that twenty years hence France or England will even wish that Spain should retain Cuba; and a century hence, judging of what will be from what has been, the pages which record this proposition will, like the record of the family compact between France and Spain, have no interest but for the antiquary.

"Even now the President can not doubt that both France and England would prefer any change in the condition of Cuba to that which is most to be apprehended, viz.: An internal convulsion which should renew the horrors and the fate of San Domingo.

"I will intimate a final objection to the proposed convention. M. de Turgot and Lord Malmesbury put forward, as the reason for entering into such a compact, 'the attacks which have lately been made on the island of Cuba by lawless bands of adventurers from the United States, with the avowed design of taking possession of that island.' The President is convinced that the conclusion of such a treaty, instead of putting a stop to these lawless proceedings, would give a new and powerful impulse to them. It would strike a death-blow to the conservative policy hitherto pursued in this country toward Cuba. No administration of this Government, however strong in the public confidence in other respects, could stand a day under the odium of having stipulated with the great powers of Europe, that in no future time, under no change of circumstances, by no amicable arrangement with Spain, by no act of lawful war, (should that calamity unfortunately occur), by no consent of the inhabitants of the island, should they, like the possessions of Spain on the American continent, succeed in rendering themselves independent; in fine, by no overruling necessity of self-preservation should the United States ever make the acquisition of Cuba.

"For these reasons, which the President has thought it advisable, con-

sidering the importance of the subject, to direct me to unfold at some length, he feels constrained to decline respectfully the invitation of France and England to become a party to the proposed convention. He is persuaded that these friendly powers will not attribute this refusal to any insensibility on his part to the advantages of the utmost harmony between the great maritime states on a subject of such importance. As little will Spain draw any unfavorable inference from this refusal; the rather, as the emphatic disclaimer of any designs against Cuba on the part of this Government, contained in the present note, affords all the assurance which the President can constitutionally, or to any useful purpose, give of a practical concurrence with France and England in the wish not to disturb the possession of that island by Spain."

Mr. Everett, Secretary of State, to the Count Sartiges, Dec. 1, 1852, S. Ex. Doc. 13, 32 Cong. 2 sess. 15. This document was reprinted, with an appendix, by Messrs. Little, Brown & Co., at Boston, in 1853.

The same note of Dec. 1, 1852, addressed, *mutatis mutandis*, to Mr. Crampton, the British minister at Washington, is printed in 44 Br. & For. State Papers, 197, where it is preceded by much other correspondence showing the historic policy of the United States toward Cuba. The draft of the proposed tripartite convention is given at page 116.

The reply of Lord John Russell of Feb. 16, 1853, to Mr. Everett's note of Dec. 1, 1852, may be found in the same volume, at page 232. A personal and unofficial rejoinder by Mr. Everett, dated Sept. 17, 1853, may be found in the appendix to the Little, Brown & Co. reprint, above referred to; also, in Wharton's *Int. Law Digest*, 1, 571-578.

"Lord John Russell took my letter of the 17th Sept., 1853, in good part, and wrote me a very civil private letter on the subject." (Mr. Everett to Mr. Wm. Hunter, May 11, 1855, MS.)

The controversy is reviewed by Mr. Wm. Henry Trescot, in the *Southern Quarterly Review*, N. S., ix, (April, 1854) 429.

Mr. Everett's position is approved in Mr. Marcy, Secretary of State, to Mr. Buchanan, minister to England, July 2, 1853.

"That rich island [Cuba], the key to the Gulf of Mexico and the field for our most extended trade in the Western hemisphere, is, though in the hands of Spain, a part of the American commercial system. Our relations, present and prospective, towards Cuba, have never been more ably set forth than in the remarkable note addressed by my predecessor, Mr. Secretary Everett, to the ministers of Great Britain and France in Washington, on the 1st of December, 1852, in rejection of the suggested tripartite alliance to forever determine the neutrality of the Spanish Antilles. In response to the proposal that the United States, Great Britain, and France, should severally and collectively agree to forbid the acquisition of control over Cuba, by any or all of them, Mr. Everett showed that, without forcing or even coveting possession of the island, its condition was essentially an American question; that the renunciation forever by this Government of contingent interest therein would be far broader than the like renunciation by great Britain or France; that, if ever ceasing to be Spanish, Cuba must necessarily become American, and not fall under any other European domination, and that the ceaseless movement of segregation of American interests from European control and unification in a broader American sphere of independent life could not and should not be checked by any arbitrary agreement.

"Nearly thirty years have demonstrated the wisdom of the attitude then maintained by Mr. Everett, and have made indispensable its continuance

and its extension to all parts of the American Atlantic system where a disturbance of the existing status might be attempted in the interest of foreign powers. The present attitude of this Government toward any European project for the control of an isthmian route is but the logical sequence of the resistance made in 1852 to the attempted pressure of an active foreign influence in the West Indies."

Mr. Blaine, Secretary of State, to Mr. Comly, minister to Hawaii, Dec. 1, 1881, For. Rel. 1881, 635, 637.

III. In 1860 the Government of the United States refused to join with England and France to adopt measures tending to put an end to the political quarrels which were at that time agitating Mexico. See the negative answer of the American Government in the section of the present chapter relating to France, No. V,¹ and the following citation from Professor Moore:²

About the middle of July, 1860, the British Government, through Lord Lyons, its minister at Washington, invited the United States to join Great Britain and France in addressing an identic note to the Miramon and Juarez governments in Mexico, advising the calling of a national assembly to settle their domestic difficulties upon some reasonable basis. This invitation was submitted to President Buchanan, and in due time Lord Lyons was advised that the general policy of the United States was "opposed to any interference, especially the joint interference, of other powers in the domestic affairs of an independent nation"; that the motives of this policy were peculiarly strong in the case of Mexico; that the President had recognized the Juarez government as a constitutional one, which had in fact a far larger popular support than any other; that he would therefore be very unwilling to take any step which would appear to discredit the Juarez government or put it on the same level as its opponent; that he could not see any practical good to result from the joint intervention, and that, while desiring the happiest results from the proposed action of England and France, he did not feel either disposed or authorized to make the United States a party to it.

Mr. Trescott, Acting Secretary of State, to Mr. Elgee, secretary in charge of the legation in Mexico, Aug. 8, 1860.

IV. Declaration of the Government of the United States at the time of the boundary controversy in regard to Guiana between Venezuela and England in 1895. In the communications exchanged between Mr. Olney, Secretary of State, and Lord Salisbury, the Monroe Doctrine is discussed; Lord Salisbury states that there is nothing in the controversy regarding any of the hypotheses involved in said Doctrine and denies, furthermore, the principle enunciated by Mr. Olney to the effect that the American questions must be decided exclusively by Americans. In the study of this controversy the resolution of the

¹ *Post*, p. 96.

² *Digest*, vol. VI, pp. 479-80.

United States Congress of January 10, 1895, is very interesting. The antecedents of this matter, as set forth by Professor Moore,¹ are as follows:

"I should have been glad to announce some favorable disposition of the boundary dispute between Great Britain and Venezuela, touching the western frontier of British Guiana, but the friendly efforts of the United States in that direction have thus far been unavailing. This Government will continue to express its concern at any appearance of foreign encroachment on territories long under the administrative control of American states. The determination of a disputed boundary is easily attainable by amicable arbitration, where the rights of the respective parties rest, as here, on historic facts, readily ascertainable."

President Harrison, annual message, Dec. 9, 1891, For. Rel. 1891, iv.

See, as to the readiness of the United States to take "an advanced and decisive step" to the end of bringing about a settlement, Mr. Blaine, Secretary of State, to Mr. Scruggs, minister to Venezuela (confid.), Oct. 28, 1891.

In 1848, while the question of occupying Yucatan was before the Senate, a report appeared in the press concerning British aggressions in Venezuela. It was stated by a "writer who appeared to be well informed upon the subject," that the British had in 1841 encroached on Spanish Guiana to the extent of twenty thousand square miles, and that they had since extended their possessions to the whole of Spanish Guiana, amounting in all to a hundred and eighty thousand square miles, or nearly double what they are said now to claim. Mr. Niles, a Senator from Connecticut, brought the subject to the attention of the Senate, as a warning against the responsibilities that might be involved in the views which he understood certain members of the Senate to hold. The advocates of those views do not, however, appear to have referred to the subject, unless there was such a reference by Mr. Cass, when he said:

"The honorable Senator from Connecticut [Mr. Niles] considers the reiteration of the principle by the present Executive, and perhaps its original annunciation by Mr. Monroe, as *the* claim of a right to regulate all the affairs of this continent, so far as respects Europeans. But this, sir, is an entire misconception of the whole subject. It has, however, prevailed somewhat extensively, both here and elsewhere, though it seems to me that the slightest consideration of the messages referred to would have corrected, or rather prevented, this flagrant error. Neither of these Presidents, the past nor the present, assumed to interfere with any existing rights of other nations upon this continent. Neither of them called in question their right to hold and improve the colonies they possessed, at their own pleasure. Such an assumption would have been equally obtrusive and ineffectual; and how the opinion could have prevailed that has been advanced, no one can tell; for, in the documents themselves, the true doctrine is cautiously guarded and existing rights considered as unassailable."

(Cong. Globe, 30 Cong. 1 sess. App. 614.)

"I enclose herewith a copy of a joint resolution of Congress approved by the President on the 20th day of February last, by which friendly arbitration is earnestly recommended to the favorable consideration of the Governments of Great Britain and Venezuela as a means of settling the dispute existing between them in relation to the boundary between British Guiana and Venezuela.

"During the last ten years, the Government of the United States has on more than one occasion sought to employ its good offices for the adjustment of this dispute, in a manner just and honorable to both the Governments involved in it, and, while its efforts in that direction have not been successful, it earnestly hopes that the result which it has endeavored to promote may yet be attained.

¹ *Digest*, vol. VI, pp. 533-83.

"In pursuing the course it has taken in this matter, this Government, it is needless to say, has not been actuated by any partial purpose. On the contrary, animated with a spirit of friendliness to both parties, it has refrained from entering into the merits of the controversy. In this spirit it now recommends impartial arbitration as a method which affords equal opportunities to both parties for the establishment of their claims.

"Her Majesty's Government is aware of the interest which the Government and people of the United States feel in matters affecting the peace and welfare of independent states of this hemisphere. While we do not assume to dictate to those states, or to exercise an undue influence over them, as to what their relations with other powers of the world shall be, yet their fortunes have always been an object of solicitude, and we can not view without anxiety the continuance of disputes in which their peace and happiness are deeply involved."

Mr. Gresham, Secretary of State, to Mr. Bayard, ambassador to England, No. 657, April 9, 1895.

The joint resolution, enclosed with the foregoing instruction, read as follows:

"*Resolved*, By the Senate and the House of Representatives, &c., that the President's suggestion, made in his last annual message to this body, namely, that Great Britain and Venezuela refer their dispute as to the boundaries to friendly arbitration, be earnestly recommended to the favorable consideration of both parties in interest.

"Approved, February 20, 1895."

"I am directed by the President to communicate to you his views upon a subject to which he has given much anxious thought and respecting which he has not reached a conclusion without a lively sense of its great importance as well as of the serious responsibility involved in any action now to be taken.

"It is not proposed, and for present purposes is not necessary, to enter into any detailed account of the controversy between Great Britain and Venezuela respecting the western frontier of the colony of British Guiana. The dispute is of ancient date and began at least as early as the time when Great Britain acquired by the treaty with the Netherlands of 1814 'the establishments of Demerara, Essequibo, and Berbice.' From that time to the present the dividing line between these 'establishments' (now called British Guiana) and Venezuela has never ceased to be a subject of contention. The claims of both parties, it must be conceded, are of a somewhat indefinite nature. On the one hand Venezuela, in every constitution of government since she became an independent state, has declared her territorial limits to be those of the captaincy-general of Venezuela in 1810. Yet, out of 'moderation and prudence,' it is said, she has contented herself with claiming the Essequibo line—the line of the Essequibo River, that is—to be the true boundary between Venezuela and British Guiana. On the other hand, at least an equal degree of indefiniteness distinguishes the claim of Great Britain.

"It does not seem to be asserted, for instance, that in 1814 the 'establishments' then acquired by Great Britain had any clearly defined western limits which can now be identified and which are either the limits insisted upon to-day, or, being the original limits, have been the basis of legitimate territorial extensions. On the contrary, having the actual possession of a district called the Pomaron district, she apparently remained indifferent as to the exact area of the colony until 1840, when she commissioned an engineer, Sir Robert Schomburgk, to examine and lay down its boundaries.

The result was the Schomburgk line which was fixed by metes and bounds, was delineated on maps, and was at first indicated on the face of the country itself by posts, monograms, and other like symbols. If it was expected that Venezuela would acquiesce in this line, the expectation was doomed to speedy disappointment. Venezuela at once protested and with such vigor and to such purpose that the line was explained to be only tentative—part of a general boundary scheme concerning Brazil and the Netherlands as well as Venezuela—and the monuments of the line set up by Schomburgk were removed by the express order of Lord Aberdeen. Under these circumstances, it seems impossible to treat the Schomburgk line as being the boundary claimed by Great Britain as matter of right, or as anything but a line originating in considerations of convenience and expediency. Since 1840 various other boundary lines have from time to time been indicated by Great Britain, but all as conventional lines—lines to which Venezuela's assent has been desired but which in no instance, it is believed, have been demanded as matter of right. Thus neither of the parties is to-day standing for the boundary line predicated upon strict legal right—Great Britain having formulated no such claim at all, while Venezuela insists upon the Essequibo line only as a liberal concession to her antagonist.

“Several other features of the situation remain to be briefly noticed—the continuous growth of the undefined British claim, the fate of the various attempts at arbitration of the controversy, and the part in the matter heretofore taken by the United States. As already seen, the exploitation of the Schomburgk line in 1840 was at once followed by the protest of Venezuela and by proceedings on the part of Great Britain which could fairly be interpreted only as a disavowal of that line. Indeed—in addition to the facts already noticed—Lord Aberdeen himself in 1844 proposed a line beginning at the River Moroco, a distinct abandonment of the Schomburgk line. Notwithstanding this, however, every change in the British claim since that time has moved the frontier of British Guiana farther and farther to the westward of the line thus proposed. The Granville line of 1881 placed the starting point at a distance of twenty-nine miles from the Moroco in the direction of Punta Barima. The Rosebery line of 1886 placed it west of the Guiana River, and about that time, if the British authority known as the Statesman's Year Book is to be relied upon, the area of British Guiana was suddenly enlarged by some 33,000 square miles—being stated as 76,000 square miles in 1885 and 109,000 square miles in 1887. The Salisbury line of 1890 fixed the starting point of the line in the mouth of the Amacuro west of the Punta Barima on the Orinoco. And finally, in 1893, a second Rosebery line carried the boundary from a point to the west of the Amacuro as far as the source of the Cumano River and the Sierra of Usupamo. Nor have the various claims thus enumerated been claims on paper merely. An exercise of jurisdiction corresponding more or less to such claims has accompanied or followed closely upon each and has been the more irritating and unjustifiable if, as is alleged, an agreement made in the year 1850 bound both parties to refrain from such occupation pending the settlement of the dispute.

“While the British claim has been developing in the manner above described, Venezuela has made earnest and repeated efforts to have the question of boundary settled. Indeed, allowance being made for the distractions of a war of independence and for frequent internal revolutions, it may be fairly said that Venezuela has never ceased to strive for its adjust-

ment. It could, of course, do so only through peaceful methods, any resort to force as against its powerful adversary being out of the question. Accordingly, shortly after the drawing of the Schomburgk line, an effort was made to settle the boundary by treaty and was apparently progressing towards a successful issue when the negotiations were brought to an end in 1844 by the death of the Venezuelan plenipotentiary.

"In 1848 Venezuela entered upon a period of civil commotions which lasted for more than a quarter of a century, and the negotiations thus interrupted in 1844 were not resumed until 1876. In that year Venezuela offered to close the dispute by accepting the Moroco line proposed by Lord Aberdeen. But, without giving reasons for his refusal, Lord Granville rejected the proposal and suggested a new line comprehending a large tract of territory all pretension to which seemed to have been abandoned by the previous action of Lord Aberdeen. Venezuela refused to assent to it, and negotiations dragged along without result until 1882, when Venezuela concluded that the only course open to her was arbitration of the controversy. Before she had made any definite proposition, however, Great Britain took the initiative by suggesting the making of a treaty which should determine various other questions as well as that of the disputed boundary. The result was that a treaty was practically agreed upon with the Gladstone government in 1886 containing a general arbitration clause under which the parties might have submitted the boundary dispute to the decision of a third power or of several powers in amity with both.

"Before the actual signing of the treaty, however, the administration of Mr. Gladstone was superseded by that of Lord Salisbury, which declined to accede to the arbitration clause of the treaty notwithstanding the reasonable expectations of Venezuela to the contrary based upon the premier's emphatic declaration in the House of Lords that no serious government would think of not respecting the engagements of its predecessor. Since then Venezuela on the one side has been offering and calling for arbitration, while Great Britain on the other has responded by insisting upon the condition that any arbitration should relate only to such of the disputed territory as lies west of a line designated by herself. As this condition seemed inadmissible to Venezuela and as, while the negotiations were pending, new appropriations of what is claimed to be Venezuelan territory continued to be made, Venezuela in 1887 suspended diplomatic relations with Great Britain, protesting 'before Her British Majesty's Government, before all civilized nations and before the world in general, against the acts of spoliation committed to her detriment by the Government of Great Britain, which she at no time and on no account will recognize as capable of altering in the least the rights which she has inherited from Spain and respecting which she will ever be willing to submit to the decision of a third power.'

"Diplomatic relations have not since been restored, though what is claimed to be new and flagrant British aggressions forced Venezuela to resume negotiations on the boundary question—in 1890, through its minister in Paris and a special envoy on that subject—and in 1893, through a confidential agent, Señor Michelena. These negotiations, however, met with the fate of other like previous negotiations—Great Britain refusing to arbitrate except as to territory west of an arbitrary line drawn by herself. All attempts in that direction definitely terminated in October, 1893, when Señor Michelena filed with the foreign office the following declaration:

" 'I perform a most strict duty in raising again in the name of the Govern-

ment of Venezuela a most solemn protest against the proceedings of the colony of British Guiana, constituting encroachments upon the territory of the Republic, and against the declaration contained in your excellency's communication that Her Britannic Majesty's Government considers that part of the territory as pertaining to British Guiana and admits no claim to it on the part of Venezuela. In support of this protest I reproduce all the arguments presented to your excellency in my note of 29 of last September and those which have been exhibited by the Government of Venezuela on the various occasions they have raised the same protest.

" 'I lay on Her Britannic Majesty's Government the entire responsibility of the incidents that may arise in the future from the necessity to which Venezuela has been driven to oppose by all possible means the dispossession of a part of her territory, for by disregarding her just representation to put an end to this violent state of affairs through the decision of arbiters, Her Majesty's Government ignores her rights and imposes upon her the painful though peremptory duty of providing for her own legitimate defense.'

" 'To the territorial controversy between Great Britain and the Republic of Venezuela, thus briefly outlined, the United States has not been and, indeed, in view of its traditional policy, could not be indifferent. The note to the British foreign office by which Venezuela opened negotiations in 1876 was at once communicated to this Government. In January, 1881, a letter of the Venezuelan minister at Washington, respecting certain alleged demonstrations at the mouth of the Orinoco, was thus answered by Mr. Evarts, then Secretary of State:

" 'In reply I have to inform you that in view of the deep interest which the Government of the United States takes in all transactions tending to attempted encroachments of foreign powers upon the territory of any of the republics of this continent, this Government could not look with indifference to the forcible acquisition of such territory by England if the mission of the vessels now at the mouth of the Orinoco should be found to be for that end. This Government awaits, therefore, with natural concern the more particular statements promised by the Government of Venezuela, which it hopes will not be long delayed.'

" 'In the February following, Mr. Evarts wrote again on the same subject as follows:

" 'Referring to your note of the 21st of December last, touching the operations of certain British war vessels in and near the mouth of the Orinoco River and to my reply thereto of the 31st ultimo as well as to the recent occasions in which the subject has been mentioned in our conferences concerning the business of your mission, I take it to be fitting now at the close of my incumbency of the office I hold to advert to the interest with which the Government of the United States cannot fail to regard any such purpose with respect to the control of American territory as is stated to be contemplated by the Government of Great Britain and to express my regret that the further information promised in your note with regard to such designs had not reached me in season to receive the attention which, notwithstanding the severe pressure of public business at the end of an administrative term, I should have taken pleasure in bestowing upon it. I doubt not, however, that your representations in fulfillment of the awaited additional orders of your Government will have like earnest and solicitous consideration at the hands of my successor.'

" 'In November, 1882, the then state of negotiations with Great Britain

together with a copy of an intended note suggesting recourse to arbitration was communicated to the Secretary of State by the President of Venezuela with the expression of the hope that the United States would give him its opinion and advice and such support as it deemed possible to offer Venezuela in order that justice should be done her. Mr. Frelinghuysen replied in a dispatch to the United States minister at Caracas as follows:

" 'This Government has already expressed its view that arbitration of such disputes is a convenient resort in the case of failure to come to a mutual understanding, and intimated its willingness, if Venezuela should so desire, to propose to Great Britain such a mode of settlement. It is felt that the tender of good offices would not be so profitable if the United States were to approach Great Britain as the advocate of any prejudged solution in favor of Venezuela. So far as the United States can counsel and assist Venezuela it believes it best to confine its reply to the renewal of the suggestion of arbitration and the offer of all its good offices in that direction. This suggestion is the more easily made, since it appears, from the instruction sent by Señor Seijas to the Venezuelan minister in London on the same 15th of July, 1882, that the President of Venezuela proposed to the British Government the submission of the dispute to arbitration by a third power.

" 'You will take an early occasion to present the foregoing considerations to Señor Seijas, saying to him that, while trusting that the direct proposal for arbitration already made to Great Britain may bear good fruit (if, indeed, it has not already done so by its acceptance in principle), the Government of the United States will cheerfully lend any needful aid to press upon Great Britain in a friendly way the proposition so made, and at the same time you will say to Señor Seijas (in personal conference, and not with the formality of a written communication) that the United States, while advocating strongly the recourse of arbitration for the adjustment of international disputes affecting the States of America, does not seek to put itself forward as their arbiter; that, viewing all such questions impartially and with no intent or desire to prejudge their merits, the United States will not refuse its arbitration if asked by both parties, and that, regarding all such questions as essentially and distinctively American, the United States would always prefer to see such contentions adjusted through the arbitrament of an American rather than an European power.'

"In 1884 General Guzman Blanco, the Venezuelan minister to England appointed with special reference to pending negotiations for a general treaty with Great Britain, visited Washington on his way to London and, after several conferences with the Secretary of State respecting the objects of his mission, was thus commended to the good offices of Mr. Lowell, our minister at St. James':

" 'It will necessarily be somewhat within your discretion how far your good offices may be profitably employed with Her Majesty's Government to these ends, and at any rate you may take proper occasion to let Lord Granville know that we are not without concern as to whatever may affect the interests of a sister republic of the American continent and its position in the family of nations.

" 'If General Guzman should apply to you for advice or assistance in realizing the purposes of his mission you will show him proper consideration, and without committing the United States to any determinate political solution you will endeavor to carry out the views of this instruction.'

"The progress of Gen. Guzman's negotiations did not fail to be observed

by this Government and in December, 1886, with a view to preventing the rupture of diplomatic relations—which actually took place in February following—the then Secretary of State, Mr. Bayard, instructed our minister to Great Britain to tender the arbitration of the United States, in the following terms:

“ ‘It does not appear that at any time heretofore the good offices of this Government have been actually tendered to avert a rupture between Great Britain and Venezuela. As intimated in my No. 58, our inaction in this regard would seem to be due to the reluctance of Venezuela to have the Government of the United States take any steps having relation to the action of the British Government which might, in appearance even, prejudice the resort to further arbitration or mediation which Venezuela desired. Nevertheless, the records abundantly testify our friendly concern in the adjustment of the dispute; and the intelligence now received warrants me in tendering through you to Her Majesty’s Government the good offices of the United States to promote an amicable settlement of the respective claims of Great Britain and Venezuela in the premises.

“ ‘As proof of the impartiality with which we view the question, we offer our arbitration, if acceptable to both countries. We do this with the less hesitancy as the dispute turns upon simple and readily ascertainable historical facts.

“ ‘Her Majesty’s Government will readily understand that this attitude of friendly neutrality and entire impartiality touching the merits of the controversy, consisting wholly in a difference of facts between our friends and neighbors, is entirely consistent and compatible with the sense of responsibility that rests upon the United States in relation to the South American Republics. The doctrines we announced two generations ago, at the instance and with the moral support and approval of the British Government, have lost none of their force or importance in the progress of time and the Governments of Great Britain and the United States are equally interested in conserving a status, the wisdom of which has been demonstrated by the experience of more than half a century.

“ ‘It is proper, therefore, that you should convey to Lord Iddesleigh, in such sufficiently guarded terms as your discretion may dictate, the satisfaction that would be felt by the Government of the United States in perceiving that its wishes in this regard were permitted to have influence with Her Majesty’s Government.’

“ ‘This offer of mediation was declined by Great Britain, with the statement that a similar offer had already been received from another quarter, and that the Queen’s Government were still not without hope of a settlement by direct diplomatic negotiations. In February, 1888, having been informed that the governor of British Guiana had by formal decree laid claim to the territory traversed by the route of a proposed railway from Ciudad Bolivar to Guacipati, Mr. Bayard addressed a note to our minister to England, from which the following extracts are taken:

“ ‘The claim now stated to have been put forth by the authorities of British Guiana necessarily gives rise to grave disquietude, and creates an apprehension that the territorial claim does not follow historical traditions or evidence, but is apparently indefinite. At no time hitherto does it appear that the district, of which Guacipati is the center, has been claimed as British territory or that such jurisdiction has ever been asserted over its inhabitants, and if the reported decree of the governor of British Guiana be

indeed genuine it is not apparent how any line of railway from Ciudad Bolivar to Guacipati could enter or traverse territory within the control of Great Britain.

"It is true that the line claimed by Great Britain as the western boundary of British Guiana is uncertain and vague. It is only necessary to examine the British colonial office list for a few years back to perceive this. In the issue for 1877, for instance, the line runs nearly southwardly from the mouth of the Amacuro to the junction of the Cotinga and Takutu rivers. In the issue of 1887, ten years later, it makes a wide detour to the westward, following the Yuruari. Guacipati lies considerably to the westward of the line officially claimed in 1887, and it may perhaps be instructive to compare with it the map which doubtless will be found in the colonial office list for the present year.

"It may be well for you to express anew to Lord Salisbury the great gratification it would afford this Government to see the Venezuelan dispute amicably and honorably settled by arbitration or otherwise and our readiness to do anything we properly can to assist to that end.

"In the course of your conversation you may refer to the publication in the *London Financier* of January 24 (a copy of which you can procure and exhibit to Lord Salisbury) and express apprehension lest the widening pretensions of British Guiana to possess territory over which Venezuela's jurisdiction has never heretofore been disputed may not diminish the chances for a practical settlement.

"If, indeed, it should appear that there is no fixed limit to the British boundary claim, our good disposition to aid in a settlement might not only be defeated, but be obliged to give place to a feeling of grave concern."

"In 1889, information having been received that Barima, at the mouth of the Orinoco, had been declared a British port, Mr. Blaine, then Secretary of State, authorized Mr. White to confer with Lord Salisbury for the re-establishment of diplomatic relations between Great Britain and Venezuela on the basis of a temporary restoration of the *status quo*, and May 1 and May 6, 1890, sent the following telegrams to our minister to England, Mr. Lincoln (May 1, 1890):

"Mr. Lincoln is instructed to use his good offices with Lord Salisbury to bring about the resumption of diplomatic intercourse between Great Britain and Venezuela as a preliminary step towards the settlement of the boundary dispute by arbitration. The joint proposals of Great Britain and the United States towards Portugal which have just been brought about would seem to make the present time propitious for submitting this question to an international arbitration. He is requested to propose to Lord Salisbury, with a view to an accommodation, that an informal conference be had in Washington or in London of representatives of the three powers. In such conference the position of the United States is one solely of impartial friendship toward both litigants.

"(May 6, 1890)—

"It is nevertheless desired that you shall do all you can consistently with our attitude of impartial friendship to induce some accord between the contestants by which the merits of the controversy may be fairly ascertained and the rights of each party justly confirmed. The neutral position of this Government does not comport with any expression of opinion on the part of this Department as to what these rights are, but it is confident that the shifting footing on which the British boundary question has rested for

several years past is an obstacle to such a correct appreciation of the nature and grounds of her claim as would alone warrant the formation of any opinion.'

"In the course of the same year, 1890, Venezuela sent to London a special envoy to bring about the resumption of diplomatic relations with Great Britain through the good offices of the United States minister. But the mission failed because a condition of such resumption, steadily adhered to by Venezuela, was the reference of the boundary dispute to arbitration. Since the close of the negotiations initiated by Señor Michelena in 1893, Venezuela has repeatedly brought the controversy to the notice of the United States, has insisted upon its importance to the United States as well as to Venezuela, has represented it to have reached an acute stage—making definite action by the United States imperative—and has not ceased to solicit the services and support of the United States in aid of its final adjustment. These appeals have not been received with indifference and our ambassador to Great Britain has been uniformly instructed to exert all his influence in the direction of the reestablishment of diplomatic relations between Great Britain and Venezuela and in favor of arbitration of the boundary controversy. The Secretary of State in a communication to Mr. Bayard, bearing date July 13, 1894, used the following language:

" 'The President is inspired by a desire for a peaceable and honorable settlement of the existing difficulties between an American state and a powerful trans-Atlantic nation, and would be glad to see the reestablishment of such diplomatic relations between them as would promote that end.

" 'I can discern but two equitable solutions of the present controversy. One is the arbitral determination of the rights of the disputants as the respective successors to the historical rights of Holland and Spain over the region in question. The other is to create a new boundary line in accordance with the dictates of mutual expediency and consideration. The two Governments having so far been unable to agree on a conventional line, the consistent and conspicuous advocacy by the United States and England of the principle of arbitration and their recourse thereto in settlement of important questions arising between them, makes such a mode of adjustment especially appropriate in the present instance, and this Government will gladly do what it can to further a determination in that sense.'

"Subsequent communications to Mr. Bayard direct him to ascertain whether a minister from Venezuela would be received by Great Britain. In the annual message to Congress of December 3d last, the President used the following language:

" 'The boundary of British Guiana still remains in dispute between Great Britain and Venezuela. Believing that its early settlement, on some just basis alike honorable to both parties, is in the line of our established policy to remove from this hemisphere all causes of difference with powers beyond the sea, I shall renew the efforts heretofore made to bring about a restoration of diplomatic relations between the disputants and to induce a reference to arbitration, a resort which Great Britain so conspicuously favors in principle and respects in practice and which is earnestly sought by her weaker adversary.'

"And February 22 [20], 1895, a joint resolution of Congress declared—

" 'That the President's suggestion . . . that Great Britain and Venezuela refer their dispute as to boundaries to friendly arbitration be earnestly recommended to the favorable consideration of both parties in interest.'

"The important features of the existing situation, as shown by the foregoing recital, may be briefly stated.

"1. The title to territory of indefinite but confessedly very large extent is in dispute between Great Britain on the one hand and the South American Republic of Venezuela on the other.

"2. The disparity in the strength of the claimants is such that Venezuela can hope to establish her claim only through peaceful methods—through an agreement with her adversary either upon the subject itself or upon an arbitration.

"3. The controversy, with varying claims on the part of Great Britain, has existed for more than half a century, during which period many earnest and persistent efforts of Venezuela to establish a boundary by agreement have proved unsuccessful.

"4. The futility of the endeavor to obtain a conventional line being recognized, Venezuela for a quarter of a century has asked and striven for arbitration.

"5. Great Britain, however, has always and continuously refused to arbitrate, except upon the condition of a renunciation of a large part of the Venezuelan claim and of a concession to herself of a large share of the territory in controversy.

"6. By the frequent interposition of its good offices at the instance of Venezuela, by constantly urging and promoting the restoration of diplomatic relations between the two countries, by pressing for arbitration of the disputed boundary, by offering to act as arbitrator, by expressing its grave concern whenever new alleged instances of British aggression upon Venezuelan territory have been brought to its notice, the Government of the United States has made it clear to Great Britain and to the world that the controversy is one in which both its honor and its interests are involved and the continuance of which it can not regard with indifference.

"The accuracy of the foregoing analysis of the existing status can not, it is believed, be challenged. It shows that status to be such that those charged with the interests of the United States are now forced to determine exactly what those interests are and what course of action they require. It compels them to decide to what extent, if any, the United States may and should intervene in a controversy between and primarily concerning only Great Britain and Venezuela and to decide how far it is bound to see that the integrity of Venezuelan territory is not impaired by the pretensions of its powerful antagonist. Are any such right and duty devolved upon the United States? If not, the United States has already done all, if not more than all, that a purely sentimental interest in the affairs of the two countries justifies, and to push its interposition further would be unbecoming and undignified and might well subject it to the charge of impertinent intermeddling with affairs with which it has no rightful concern. On the other hand, if any such right and duty exist, their due exercise and discharge will not permit of any action that shall not be efficient and that, if the power of the United States is adequate, shall not result in the accomplishment of the end in view. The question thus presented, as matter of principle and regard being had to the settled national policy, does not seem difficult of solution. Yet the momentous practical consequences dependent upon its determination require that it should be carefully considered and that the grounds of the conclusion arrived at should be fully and frankly stated.

"That there are circumstances under which a nation may justly interpose

in a controversy to which two or more other nations are the direct and immediate parties is an admitted canon of international law. The doctrine is ordinarily expressed in terms of the most general character and is perhaps incapable of more specific statement. It is declared in substance that a nation may avail itself of this right whenever what is done or proposed by any of the parties primarily concerned is a serious and direct menace to its own integrity, tranquillity, or welfare. The propriety of the rule when applied in good faith will not be questioned in any quarter. On the other hand, it is an inevitable though unfortunate consequence of the wide scope of the rule that it has only too often been made a cloak for schemes of wanton spoliation and aggrandizement. We are concerned at this time, however, not so much with the general rule as with a form of it which is peculiarly and distinctively American. Washington, in the solemn admonitions of the Farewell Address, explicitly warned his countrymen against entanglements with the politics or the controversies of European powers.

" 'Europe [he said] has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities. Our detached and distant situation invites and enables us to pursue a different course.'

"During the Administration of President Monroe this doctrine of the Farewell Address was first considered in all its aspects and with a view to all its practical consequences. The Farewell Address, while it took America out of the field of European politics, was silent as to the part Europe might be permitted to play in America. Doubtless it was thought the latest addition to the family of nations should not make haste to prescribe rules for the guidance of its older members, and the expediency and propriety of serving the powers of Europe with notice of a complete and distinctive American policy excluding them from interference with American political affairs might well seem dubious to a generation to whom the French alliance, with its manifold advantages to the cause of American independence, was fresh in mind.

"Twenty years later, however, the situation had changed. The lately born nation had greatly increased in power and resources, had demonstrated its strength on land and sea and as well in the conflicts of arms as in the pursuits of peace, and had begun to realize the commanding position on this continent which the character of its people, their free institutions, and their remoteness from the chief scene of European contentions combined to give to it. The Monroe Administration therefore did not hesitate to accept and apply the logic of the Farewell Address by declaring in effect that American nonintervention in European affairs necessarily implied and meant European nonintervention in American affairs. Conceiving unquestionably that complete European noninterference in American concerns would be cheaply purchased by complete American noninterference in European concerns, President Monroe, in the celebrated message of December 2, 1823, used the following language:

" 'In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparations for our defense. With the movements in this

hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

“ ‘With the existing colonies or dependencies of any European power, we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. . . . Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.’

“The Monroe administration, however, did not content itself with formulating a correct rule for the regulation of the relations between Europe and America. It aimed at also securing the practical benefits to result from the application of the rule. Hence the message just quoted declared that the American continents were fully occupied and were not the subjects for future colonization by European powers. To this spirit and this purpose, also, are to be attributed the passages of the same message which treat any infringement of the rule against interference in American affairs on the part of the powers of Europe as an act of unfriendliness to the United States. It was realized that it was futile to lay down such a rule unless its observance could be enforced. It was manifest that the United States was the only power in this hemisphere capable of enforcing it. It was therefore courageously declared not merely that Europe ought not to interfere in American affairs, but that any European power doing so would be regarded as antagonizing the interests and inviting the opposition of the United States.

“That America is in no part open to colonization, though the proposition was not universally admitted at the time of its first enunciation, has long been universally conceded. We are now concerned, therefore, only with

that other practical application of the Monroe doctrine the disregard of which by an European power is to be deemed an act of unfriendliness towards the United States. The precise scope and limitations of this rule can not be too clearly apprehended. It does not establish any general protectorate by the United States over other American states. It does not relieve any American state from its obligations as fixed by international law nor prevent any European power directly interested from enforcing such obligations or from inflicting merited punishment for the breach of them. It does not contemplate any interference in the internal affairs of any American state or in the relations between it and other American states. It does not justify any attempt on our part to change the established form of government of any American state or to prevent the people of such state from altering that form according to their own will and pleasure. The rule in question has but a single purpose and object. It is that no European power or combination of European powers shall forcibly deprive an American state of the right and power of self-government and of shaping for itself its own political fortunes and destinies.

"That the rule thus defined has been the accepted public law of this country ever since its promulgation can not fairly be denied. Its pronouncement by the Monroe administration at that particular time was unquestionably due to the inspiration of Great Britain, who at once gave to it an open and unqualified adhesion which has never been withdrawn. But the rule was decided upon and formulated by the Monroe administration as a distinctively American doctrine of great import to the safety and welfare of the United States after the most careful consideration by a Cabinet which numbered among its members John Quincy Adams, Calhoun, Crawford, and Wirt, and which before acting took both Jefferson and Madison into its counsels. Its promulgation was received with acclaim by the entire people of the country irrespective of party. Three years after, Webster declared that the doctrine involved the honor of the country. 'I look upon it,' he said, 'as part of its treasures of reputation, and for one I intend to guard it,' and he added,

" 'I look on the message of December, 1823, as forming a bright page in our history. I will help neither to erase it nor to tear it out; nor shall it be by any act of mine blurred or blotted. It did honor to the sagacity of the Government, and I will not diminish that honor.'

"Though the rule thus highly eulogized by Webster has never been formally affirmed by Congress, the House in 1864 declared against the Mexican monarchy sought to be set up by the French as not in accord with the policy of the United States, and in 1889 the Senate expressed its disapproval of the connection of any European power with a canal across the Isthmus of Darien or Central America. It is manifest that, if a rule has been openly and uniformly declared and acted upon by the executive branch of the Government for more than seventy years without express repudiation by Congress, it must be conclusively presumed to have its sanction. Yet it is certainly no more than the exact truth to say that every administration since President Monroe's has had occasion, and sometimes more occasions than one, to examine and consider the Monroe doctrine and has in each instance given it emphatic endorsement. Presidents have dwelt upon it in messages to Congress and Secretaries of State have time after time made it the theme of diplomatic representation. Nor, if the practical results of the rule be sought for, is the record either meager or obscure. Its first and

immediate effect was indeed most momentous and far-reaching. It was the controlling factor in the emancipation of South America and to it the independent states which now divide that region between them are largely indebted for their very existence. Since then the most striking single achievement to be credited to the rule is the evacuation of Mexico by the French upon the termination of the civil war. But we are also indebted to it for the provisions of the Clayton-Bulwer treaty, which both neutralized any interoceanic canal across Central America and expressly excluded Great Britain from occupying or exercising any dominion over any part of Central America. It has been used in the case of Cuba as if justifying the position that, while the sovereignty of Spain will be respected, the island will not be permitted to become the possession of any other European power. It has been influential in bringing about the definite relinquishment of any supposed protectorate by Great Britain over the Mosquito coast.

"President Polk, in the case of Yucatan and the proposed voluntary transfer of that country to Great Britain or Spain, relied upon the Monroe doctrine, though perhaps erroneously, when he declared in a special message to Congress on the subject that the United States could not consent to any such transfer. Yet, in somewhat the same spirit, Secretary Fish affirmed in 1870 that President Grant had but followed 'the teachings of all our history' in declaring in his annual message of that year that existing dependencies were no longer regarded as subject to transfer from one European power to another, and that when the present relation of colonies ceases they are to become independent powers. Another development of the rule, though apparently not necessarily required by either its letter or its spirit, is found in the objection to arbitration of South American controversies by an European power. American questions, it is said, are for American decision, and on that ground the United States went so far as to refuse to mediate in the war between Chili and Peru jointly with Great Britain and France. Finally, on the ground, among others, that the authority of the Monroe doctrine and the prestige of the United States as its exponent and sponsor would be seriously impaired, Secretary Bayard strenuously resisted the enforcement of the Pelletier claim against Hayti.

"The United States [he said] has proclaimed herself the protector of this western world, in which she is by far the stronger power, from the intrusion of European sovereignties. She can point with proud satisfaction to the fact that over and over again has she declared effectively, that serious indeed would be the consequences if European hostile foot should, without just cause, tread those states in the New World which have emancipated themselves from European control. She has announced that she would cherish as it becomes her the territorial rights of the feeblest of those states, regarding them not merely as in the eye of the law equal to even the greatest of nationalities, but in view of her distinctive policy as entitled to be regarded by her as the objects of a peculiarly gracious care. I feel bound to say that if we should sanction by reprisals in Hayti the ruthless invasion of her territory and insult to her sovereignty which the facts now before us disclose, if we approve by solemn Executive action and Congressional assent that invasion, it will be difficult for us hereafter to assert that in the New World, of whose rights we are the peculiar guardians, these rights have never been invaded by ourselves.'

"The foregoing enumeration not only shows the many instances wherein the rule in question has been affirmed and applied, but also demonstrates

that the Venezuelan boundary controversy is in any view far within the scope and spirit of the rule as uniformly accepted and acted upon. A doctrine of American public law thus long and firmly established and supported could not easily be ignored in a proper case for its application, even were the considerations upon which it is founded obscure or questionable. No such objection can be made, however, to the Monroe doctrine understood and defined in the manner already stated. It rests, on the contrary, upon facts and principles that are both intelligible and incontrovertible. That distance and three thousand miles of intervening ocean make any permanent political union between an European and an American state unnatural and inexpedient will hardly be denied. But physical and geographical considerations are the least of the objections to such a union. Europe, as Washington observed, has a set of primary interests which are peculiar to herself. America is not interested in them and ought not to be vexed or complicated with them. Each great European power, for instance, to-day maintains enormous armies and fleets in self-defense and for protection against any other European power or powers. What have the states of America to do with that condition of things, or why should they be impoverished by wars or preparations for wars with whose causes or results they can have no direct concern? If all Europe were to suddenly fly to arms over the fate of Turkey, would it not be preposterous that any American state should find itself inextricably involved in the miseries and burdens of the contest? If it were, it would prove to be a partnership in the cost and losses of the struggle but not in any ensuing benefits.

"What is true of the material, is no less true of what may be termed the moral interests involved. Those pertaining to Europe are peculiar to her and are entirely diverse from those pertaining and peculiar to America. Europe as a whole is monarchical, and, with the single important exception of the Republic of France, is committed to the monarchical principle. America, on the other hand, is devoted to the exactly opposite principle—to the idea that every people has an inalienable right of self-government—and, in the United States of America, has furnished to the world the most conspicuous and conclusive example and proof of the excellence of free institutions, whether from the standpoint of national greatness or of individual happiness. It can not be necessary, however, to enlarge upon this phase of the subject—whether moral or material interests be considered, it can not but be universally conceded that those of Europe are irreconcilably diverse from those of America, and that any European control of the latter is necessarily both incongruous and injurious. If, however, for the reasons stated the forcible intrusion of European powers into American politics is to be deprecated—if, as it is to be deprecated, it should be resisted and prevented—such resistance and prevention must come from the United States. They would come from it, of course, were it made the point of attack. But, if they come at all, they must also come from it when any other American state is attacked, since only the United States has the strength adequate to the exigency.

"Is it true, then, that the safety and welfare of the United States are so concerned with the maintenance of the independence of every American state as against any European power as to justify and require the interposition of the United States whenever that independence is endangered? The question can be candidly answered in but one way. The States of America, South as well as North, by geographical proximity, by natural

sympathy, by similarity of governmental constitutions, are friends and allies, commercially and politically of the United States. To allow the subjugation of any of them by an European power is, of course, to completely reverse that situation and signifies the loss of all the advantages incident to their natural relations to us. But that is not all. The people of the United States have a vital interest in the cause of popular self-government. They have secured the right for themselves and their posterity at the cost of infinite blood and treasure. They have realized and exemplified its beneficent operation by a career unexampled in point of natural greatness or individual felicity. They believe it to be for the healing of all nations, and that civilization must either advance or retrograde accordingly as its supremacy is extended or curtailed. Imbued with these sentiments, the people of the United States might not impossibly be wrought up to an active propaganda in favor of a cause so highly valued both for themselves and for mankind. But the age of the Crusades has passed, and they are content with such assertion and defense of the right of popular self-government as their own security and welfare demand. It is in that view more than in any other that they believe it not to be tolerated that the political control of an American state shall be forcibly assumed by an European power.

"The mischiefs apprehended from such a source are none the less real because not immediately imminent in any specific case, and are none the less to be guarded against because the combination of circumstances that will bring them upon us can not be predicted. The civilized states of Christendom deal with each other on substantially the same principles that regulate the conduct of individuals. The greater its enlightenment, the more surely every state perceives that its permanent interests require it to be governed by the immutable principles of right and justice. Each, nevertheless, is only too liable to succumb to the temptations offered by seeming special opportunities for its own aggrandizement, and each would rashly imperil its own safety were it not to remember that for the regard and respect of other states it must be largely dependent upon its own strength and power. To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition. Why? It is not because of the pure friendship or good will felt for it. It is not simply by reason of its high character as a civilized state, nor because wisdom and justice and equity are the invariable characteristics of the dealings of the United States. It is because, in addition to all other grounds, its infinite resources combined with its isolated position render it master of the situation and practically invulnerable as against any or all other powers.

"All the advantages of this superiority are at once imperiled if the principle be admitted that European powers may convert American states into colonies or provinces of their own. The principle would be eagerly availed of, and every power doing so would immediately acquire a base of military operations against us. What one power was permitted to do could not be denied to another, and it is not inconceivable that the struggle now going on for the acquisition of Africa might be transferred to South America. If it were, the weaker countries would unquestionably be soon absorbed, while the ultimate result might be the partition of all South America between the various European powers. The disastrous consequences to the United States of such a condition of things are obvious. The loss of prestige, of authority, and of weight in the councils of the family of nations, would be among the least of them. Our only real rivals in peace as well as enemies in

war would be found located at our very doors. Thus far in our history we have been spared the burdens and evils of immense standing armies and all the other accessories of huge warlike establishments, and the exemption has largely contributed to our national greatness and wealth as well as to the happiness of every citizen. But, with the powers of Europe permanently encamped on American soil, the ideal conditions we have thus far enjoyed can not be expected to continue. We too must be armed to the teeth; we too must convert the flower of our male population into soldiers and sailors, and by withdrawing them from the various pursuits of peaceful industry, we too must practically annihilate a large share of the productive energy of the nation.

"How a greater calamity than this could overtake us it is difficult to see. Nor are our just apprehensions to be allayed by suggestions of the friendliness of European powers—of their good will toward us—of their disposition, should they be our neighbors, to dwell with us in peace and harmony. The people of the United States have learned in the school of experience to what extent the relations of states to each other depend not upon sentiment nor principle, but upon selfish interest. They will not soon forget that, in their hour of distress, all their anxieties and burdens were aggravated by the possibility of demonstrations against their national life on the part of powers with whom they had long maintained the most harmonious relations. They have yet in mind that France seized upon the apparent opportunity of our civil war to set up a monarchy in the adjoining state of Mexico. They realize that had France and Great Britain held important South American possessions to work from and to benefit, the temptation to destroy the predominance of the Great Republic in this hemisphere by furthering its dismemberment might have been irresistible. From that grave peril they have been saved in the past and may be saved again in the future through the operation of the sure but silent force of the doctrine proclaimed by President Monroe. To abandon it, on the other hand, disregarding both the logic of the situation and the facts of our past experience, would be to renounce a policy which has proved both an easy defense against foreign aggression and a prolific source of internal progress and prosperity.

"There is, then, a doctrine of American public law, well founded in principle and abundantly sanctioned by precedent, which entitles and requires the United States to treat as an injury to itself the forcible assumption by an European power of political control over an American state. The application of the doctrine to the boundary dispute between Great Britain and Venezuela remains to be made and presents no real difficulty. Though the dispute relates to a boundary line, yet, as it is between states, it necessarily imports political control to be lost by one party and gained by the other. The political control at stake, too, is of no mean importance, but concerns a domain of great extent—the British claim, it will be remembered, apparently expanded in two years some 33,000 square miles—and, if it also directly involves the command of the mouth of the Orinoco, is of immense consequence in connection with the whole river navigation of the interior of South America. It has been intimated, indeed, that in respect of these South American possessions Great Britain is herself an American state like any other, so that a controversy between her and Venezuela is to be settled between themselves as if it were between Venezuela and Brazil or between Venezuela and Colombia, and does not call for or justify United States intervention. If this view be tenable at all, the logical sequence is plain.

"Great Britain as a South American state is to be entirely differentiated from Great Britain generally, and if the boundary question can not be settled otherwise than by force, British Guiana, with her own independent resources and not those of the British Empire, should be left to settle the matter with Venezuela—an arrangement which very possibly Venezuela might not object to. But the proposition that an European power with an American dependency is for the purposes of the Monroe doctrine to be classed not as an European but as an American state will not admit of serious discussion. If it were to be adopted, the Monroe doctrine would be too valueless to be worth asserting. Not only would every European power now having a South American colony be enabled to extend its possessions on this continent indefinitely, but any other European power might also do the same by first taking pains to procure a fraction of South American soil by voluntary cession.

"The declaration of the Monroe message—that existing colonies or dependencies of an European power would not be interfered with by the United States—means colonies or dependencies then existing, with their limits as then existing. So it has been invariably construed, and so it must continue to be construed unless it is to be deprived of all vital force. Great Britain can not be deemed a South American state within the purview of the Monroe doctrine, nor, if she is appropriating Venezuelan territory, is it material that she does so by advancing the frontier of an old colony instead of by the planting of a new colony. The difference is matter of form and not of substance, and the doctrine if pertinent in the one case must be in the other also. It is not admitted, however, and therefore can not be assumed, that Great Britain is in fact usurping dominion over Venezuelan territory. While Venezuela charges such usurpation, Great Britain denies it, and the United States, until the merits are authoritatively ascertained, can take sides with neither. But while this is so—while the United States may not, under existing circumstances at least, take upon itself to say which of the two parties is right and which wrong—it is certainly within its right to demand that the truth shall be ascertained. Being entitled to resent and resist any sequestration of Venezuelan soil by Great Britain, it is necessarily entitled to know whether such sequestration has occurred or is now going on. Otherwise, if the United States is without the right to know and have it determined whether there is or is not British aggression upon Venezuelan territory, its right to protest against or repel such aggression may be dismissed from consideration.

"The right to act upon a fact, the existence of which there is no right to have ascertained, is simply illusory. It being clear, therefore, that the United States may legitimately insist upon the merits of the boundary question being determined, it is equally clear that there is but one feasible mode of determining them, viz., peaceful arbitration. The impracticability of any conventional adjustment has been often and thoroughly demonstrated. Even more impossible of consideration is an appeal to arms—a mode of settling national pretensions unhappily not yet wholly obsolete. If, however, it were not condemnable as a relic of barbarism and a crime in itself, so one-sided a contest could not be invited nor even accepted by Great Britain without distinct disparagement to her character as a civilized state. Great Britain, however, assumes no such attitude. On the contrary, she both admits that there is a controversy and that arbitration should be resorted to for its adjustment. But, while up to that point her

attitude leaves nothing to be desired, its practical effect is completely nullified by her insistence that the submission shall cover but a part of the controversy—that, as a condition of arbitrating her right to a part of the disputed territory, the remainder shall be turned over to her. If it were possible to point to a boundary which both parties had ever agreed or assumed to be such, either expressly or tacitly, the demand that territory conceded by such line to British Guiana should be held not to be in dispute might rest upon a reasonable basis. But there is no such line. The territory which Great Britain insists shall be ceded to her as a condition of arbitrating her claim to other territory has never been admitted to belong to her. It has always and consistently been claimed by Venezuela.

“Upon what principle—except her feebleness as a nation—is she to be denied the right of having the claim heard and passed upon by an impartial tribunal? No reason nor shadow of reason appears in all the voluminous literature of the subject. ‘It is to be so because I will it to be so’ seems to be the only justification Great Britain offers. It is, indeed, intimated that the British claim to this particular territory rests upon an occupation, which, whether acquiesced in or not, has ripened into a perfect title by long continuance. But what prescription affecting territorial rights can be said to exist as between sovereign states? Or, if there is any, what is the legitimate consequence? It is not that all arbitration should be denied, but only that the submission should embrace an additional topic, namely, the validity of the asserted prescriptive title either in point of law or in point of fact. No different result follows from the contention that as matter of principle Great Britain can not be asked to submit and ought not to submit to arbitration her political and sovereign rights over territory. This contention, if applied to the whole or to a vital part of the possessions of a sovereign state, need not be controverted. To hold otherwise might be equivalent to holding that a sovereign state was bound to arbitrate its very existence.

“But Great Britain has herself shown in various instances that the principle has no pertinency when either the interests or the territorial area involved are not of controlling magnitude and her loss of them as the result of an arbitration can not appreciably affect her honor or her power. Thus, she has arbitrated the extent of her colonial possessions twice with the United States, twice with Portugal, and once with Germany, and perhaps in other instances. The Northwest Water Boundary arbitration of 1872 between her and this country is an example in point and well illustrates both the effect to be given to long-continued use and enjoyment and the fact that a truly great power sacrifices neither prestige nor dignity by reconsidering the most emphatic rejection of a proposition when satisfied of the obvious and intrinsic justice of the case. By the award of the Emperor of Germany, the arbitrator in that case, the United States acquired San Juan and a number of smaller islands near the coast of Vancouver as a consequence of the decision that the term ‘the channel which separates the continent from Vancouver’s Island,’ as used in the treaty of Washington of 1846, meant the Haro channel and not the Rosario channel. Yet a leading contention of Great Britain before the arbitrator was that equity required a judgment in her favor because a decision in favor of the United States would deprive British subjects of rights of navigation of which they had had the habitual enjoyment from the time when the Rosario Strait was first explored and surveyed in 1798. So, though by virtue of the award, the United States acquired San Juan and the other islands of the group to which it belongs,

the British foreign secretary had in 1859 instructed the British minister at Washington as follows:

" 'Her Majesty's Government must, therefore, under any circumstances, maintain the right of the British Crown to the island of San Juan. The interests at stake in connection with the retention of that island are too important to admit of compromise, and your lordship will consequently bear in mind that, whatever arrangement as to the boundary line is finally arrived at, no settlement of the question will be accepted by Her Majesty's Government which does not provide for the island of San Juan being reserved to the British Crown.'

" Thus, as already intimated, the British demand that her right to a portion of the disputed territory shall be acknowledged before she will consent to an arbitration as to the rest seems to stand upon nothing but her own *ipse dixit*. She says to Venezuela, in substance: 'You can get none of the debatable land by force, because you are not strong enough; you can get none by treaty, because I will not agree; and you can take your chance of getting a portion by arbitration, only if you first agree to abandon to me such other portion as I may designate.' It is not perceived how such an attitude can be defended nor how it is reconcilable with that love of justice and fair play so eminently characteristic of the English race. It in effect deprives Venezuela of her free agency and puts her under virtual duress. Territory acquired by reason of it will be as much wrested from her by the strong hand as if occupied by British troops or covered by British fleets. It seems therefore quite impossible that this position of Great Britain should be assented to by the United States, or that, if such position be adhered to with the result of enlarging the bounds of British Guiana, it should not be regarded as amounting, in substance, to an invasion and conquest of Venezuelan territory.

" In these circumstances, the duty of the President appears to him unmistakable and imperative. Great Britain's assertion of title to the disputed territory combined with her refusal to have that title investigated being a substantial appropriation of the territory to her own use, not to protest and give warning that the transaction will be regarded as injurious to the interests of the people of the United States as well as oppressive in itself would be to ignore an established policy with which the honor and welfare of this country are closely identified. While the measures necessary or proper for the vindication of that policy are to be determined by another branch of the Government, it is clearly for the Executive to leave nothing undone which may tend to render such determination unnecessary.

" You are instructed, therefore, to present the foregoing views to Lord Salisbury by reading to him this communication (leaving with him a copy should he so desire), and to reinforce them by such pertinent considerations as will doubtless occur to you. They call for a definite decision upon the point whether Great Britain will consent or will decline to submit the Venezuelan boundary question in its entirety to impartial arbitration. It is the earnest hope of the President that the conclusion will be on the side of arbitration, and that Great Britain will add one more to the conspicuous precedents she has already furnished in favor of that wise and just mode of adjusting international disputes. If he is to be disappointed in that hope, however—a result not to be anticipated and in his judgment calculated to greatly embarrass the future relations between this country and Great Britain—it is his wish to be made acquainted with the fact at such early

date as will enable him to lay the whole subject before Congress in his next annual message."

Mr. Olney, Secretary of State, to Mr. Bayard, ambassador to England, July 20, 1895, For. Rel. 1895, I, 545; S. Ex. Doc. 31, 54 Cong. 1 sess. 4.

"In Mr. Olney's instruction No. 804, of the 20th instant, in relation to the Anglo-Venezuelan boundary dispute, you will note a reference to the sudden increase of the area claimed for British Guiana, amounting to 33,000 square miles, between 1884 and 1886. This statement is made on the authority of the British publication entitled the *Statesman's Year Book*.

"I add for your better information that the same statement is found in the British Colonial Office List, a government publication.

"In the issue for 1885 the following passage occurs, on page 24, under the head of British Guiana:

"It is impossible to specify the exact area of the colony, as its precise boundaries between Venezuela and Brazil respectively are undetermined, but it has been computed to be 76,000 square miles."

"In the issue of the same List for 1886, the same statement occurs, on page 33, with the change of area to 'about 109,000 square miles.'

"The official maps in the two volumes mentioned are identical, so that the increase of 33,000 square miles claimed for British Guiana is not thereby explained, but later Colonial Office List maps show a varying sweep of the boundary westward into what previously figured as Venezuelan territory, while no change is noted on the Brazilian frontier." (Mr. Adee, Acting Secretary of State, to Mr. Bayard, July 24, 1895, For. Rel. 1895, I, 562.)

"On the 7th August I transmitted to Lord Gough a copy of the despatch from Mr. Olney which Mr. Bayard had left with me that day, and of which he had read portions to me. I informed him at the time that it could not be answered until it had been carefully considered by the Law Officers of the Crown. I have therefore deferred replying to it till after the recess.

"I will not now deal with those portions of it which are concerned exclusively with the controversy that has for some time past existed between the Republic of Venezuela and Her Majesty's Government in regard to the boundary which separates their dominions. I take a very different view from Mr. Olney of various matters upon which he touches in that part of the despatch; but I will defer for the present all observations upon it, as it concerns matters which are not in themselves of first-rate importance, and do not directly concern the relations between Great Britain and the United States.

"The latter part however of the despatch, turning from the question of the frontiers of Venezuela, proceeds to deal with principles of a far wider character, and to advance doctrines of international law which are of considerable interest to all the nations whose dominions include any portion of the western hemisphere.

"The contentions set forth by Mr. Olney in this part of his despatch are represented by him as being an application of the political maxims which are well known in American discussion under the name of the Monroe doctrine. As far as I am aware, this doctrine has never been before advanced on behalf of the United States in any written communication addressed to the Government of another nation; but it has been generally adopted and assumed as true by many eminent writers and politicians in the United States. It is said to have largely influenced the Government of that country in the conduct of its foreign affairs: though Mr. Clayton, who was Secretary of State under President Taylor, expressly stated that that Administration had in no way adopted it. But during the period that has elapsed since the message of President Monroe was delivered in 1823, the doctrine has under-

gone a very notable development, and the aspect which it now presents in the hands of Mr. Olney differs widely from its character when it first issued from the pen of its author. The two propositions which in effect President Monroe laid down were, first, that America was no longer to be looked upon as a field for European colonization; and, secondly, that Europe must not attempt to extend its political system to America, or to control the political condition of any of the American communities who had recently declared their independence.

"The dangers against which President Monroe thought it right to guard were not as imaginary as they would seem at the present day. The formation of the Holy Alliance; the congresses of Laybach and Verona; the invasion of Spain by France for the purpose of forcing upon the Spanish people a form of government which seemed likely to disappear, unless it was sustained by external aid, were incidents fresh in the mind of President Monroe when he penned his celebrated message. The system of which he speaks, and of which he so resolutely deprecates the application to the American Continent, was the system then adopted by certain powerful States upon the Continent of Europe of combining to prevent by force of arms the adoption in other countries of political institutions which they disliked, and to uphold by external pressure those which they approved. Various portions of South America had recently declared their independence, and that independence had not been recognized by the Governments of Spain and Portugal, to which, with small exception, the whole of Central and South America were nominally subject. It was not an imaginary danger that he foresaw, if he feared that the same spirit which had dictated the French expedition into Spain might inspire the more powerful governments of Europe with the idea of imposing, by the force of European arms, upon the South American communities the form of government and the political connection which they had thrown off. In declaring that the United States would resist any such enterprise if it was contemplated, President Monroe adopted a policy which received the entire sympathy of the English Government of that date.

"The dangers which were apprehended by President Monroe have no relation to the state of things in which we live at the present day. There is no danger of any Holy Alliance imposing its system upon any portion of the American Continent, and there is no danger of any European State treating any part of the American Continent as a fit object for European colonization. It is intelligible that Mr. Olney should invoke, in defence of the views on which he is now insisting, an authority which enjoys so high a popularity with his own fellow-countrymen. But the circumstances with which President Monroe was dealing, and those to which the present American Government is addressing itself, have very few features in common. Great Britain is imposing no 'system' upon Venezuela, and is not concerning herself in any way with the nature of the political institutions under which the Venezuelans may prefer to live. But the British Empire and the Republic of Venezuela are neighbours, and they have differed for some time past, and continue to differ, as to the line by which their dominions are separated. It is a controversy with which the United States have no apparent practical concern. It is difficult, indeed, to see how it can materially affect any State or community outside those primarily interested, except perhaps other parts of Her Majesty's dominions, such as Trinidad. The disputed frontier of Venezuela has nothing to do with any of the ques-

tions dealt with by President Monroe. It is not a question of the colonization by a European power of any portion of America. It is not a question of the imposition upon the communities of South America of any system of government devised in Europe. It is simply the determination of the frontier of a British possession which belonged to the Throne of England long before the Republic of Venezuela came into existence. But even if the interests of Venezuela were so far linked to those of the United States as to give to the latter a *locus standi* in this controversy, their Government apparently have not formed, and certainly do not express, any opinion upon the actual merits of the dispute. The Government of the United States do not say that Great Britain, or that Venezuela, is in the right in the matters that are in issue. But they lay down that the doctrine of President Monroe, when he opposed the imposition of European systems, or the renewal of European colonization, confers upon them the right of demanding that when a European Power has a frontier difference with a South American community, the European Power shall consent to refer that controversy to arbitration; and Mr. Olney states that unless Her Majesty's Government accede to this demand, it will 'greatly embarrass the future relations between Great Britain and the United States.'

"Whatever may be the authority of the doctrine laid down by President Monroe, there is nothing in his language to show that he ever thought of claiming this novel prerogative for the United States. It is admitted that he did not seek to assert a protectorate over Mexico, or the States of Central and South America. Such a claim would have imposed upon the United States the duty of answering for the conduct of these States, and consequently the responsibility of controlling it. His sagacious foresight would have led him energetically to deprecate the addition of so serious a burden to those which the rulers of the United States have to bear. It follows of necessity that if the Government of the United States will not control the conduct of these communities, neither can it undertake to protect them from the consequences attaching to any misconduct of which they may be guilty towards other nations. If they violate in any way the rights of another State, or of its subjects, it is not alleged that the Monroe doctrine will assure them the assistance of the United States in escaping from any reparation which they may be bound by international law to give. Mr. Olney expressly disclaims such an inference from the principles he lays down.

"But the claim which he founds upon them is that, if any independent American State advances a demand for territory of which its neighbour claims to be the owner, and that neighbour is the colony of a European State, the United States have a right to insist that the European State shall submit the demand, and its own impugned rights to arbitration.

"I will not now enter into a discussion of the merits of this method of terminating international differences. It has proved itself valuable in many cases; but it is not free from defects, which often operate as a serious drawback on its value. It is not always easy to find an arbitrator who is competent, and who, at the same time, is wholly free from bias; and the task of insuring compliance with the award when it is made is not exempt from difficulty. It is a mode of settlement of which the value varies much according to the nature of the controversy to which it is applied, and the character of the litigants who appeal to it. Whether, in any particular case, it is a suitable method of procedure is generally a delicate and difficult question. The only parties who are competent to decide that question are

the two parties whose rival contentions are in issue. The claim of a third nation, which is unaffected by the controversy, to impose this particular procedure on either of the two others, can not be reasonably justified, and has no foundation in the law of nations.

"In the remarks which I have made, I have argued on the theory that the Monroe doctrine in itself is sound. I must not, however, be understood as expressing any acceptance of it on the part of Her Majesty's Government. It must always be mentioned with respect, on account of the distinguished statesman to whom it is due, and the great nations who have generally adopted it. But international law is founded on the general consent of nations; and no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before, and which has not since been accepted by the Government of any other country. The United States have a right, like any other nation, to interpose in any controversy by which their own interests are affected; and they are the judge whether those interests are touched, and in what measure they should be sustained. But their rights are in no way strengthened or extended by the fact that the controversy affects some territory which is called American. Mr. Olney quotes the case of the recent Chilean war, in which the United States declined to join with France and England in an effort to bring hostilities to a close, on account of the Monroe doctrine. The United States were entirely in their right in declining to join in an attempt at pacification if they thought fit; but Mr. Olney's principle that 'American questions are for American decision,' even if it receive any countenance from the language of President Monroe (which it does not), can not be sustained by any reasoning drawn from the law of nations.

"The Government of the United States is not entitled to affirm as a universal proposition, with reference to a number of independent States for whose conduct it assumes no responsibility, that its interests are necessarily concerned in whatever may befall those States simply because they are situated in the Western Hemisphere. It may well be that the interests of the United States are affected by something that happens to Chile or to Peru, and that that circumstance may give them the right of interference; but such a contingency may equally happen in the case of China or Japan, and the right of interference is not more extensive or more assured in the one case than in the other.

"Though the language of President Monroe is directed to the attainment of objects which most Englishmen would agree to be salutary, it is impossible to admit that they have been inscribed by any adequate authority in the code of international law; and the danger which such admission would involve is sufficiently exhibited both by the strange development which the doctrine has received at Mr. Olney's hands, and the arguments by which it is supported, in the despatch under reply. In defense of it he says:

"That distance and 3,000 miles of intervening ocean *make any permanent political union between a European and an American State unnatural and inexpedient* will hardly be denied. But physical and geographical considerations are the least of the objections to such a union. Europe has a set of primary interests which are peculiar to herself; America is not interested in them, and ought not to be vexed or complicated with them.'

"And again:

"Thus far in our history we have been spared the burdens and evils of

immense standing armies and all the other accessories of huge warlike establishments; and the exemption has highly contributed to our national greatness and wealth, as well as to the happiness of every citizen. But *with the Powers of Europe permanently encamped on American soil*, the ideal conditions we have thus far enjoyed can not be expected to continue.'

"The necessary meaning of these words is that the union between Great Britain and Canada; between Great Britain and Jamaica and Trinidad; between Great Britain and British Honduras or British Guiana are 'inexpedient and unnatural.' President Monroe disclaims any such inference from his doctrine; but in this, as in other respects, Mr. Olney develops it. He lays down that the inexpedient and unnatural character of the union between a European and American State is so obvious that it 'will hardly be denied.' Her Majesty's Government are prepared emphatically to deny it on behalf of both the British and American people who are subject to her Crown. They maintain that the union between Great Britain and her territories in the Western Hemisphere is both natural and expedient. They fully concur with the view which President Monroe apparently entertained, that any disturbance of the existing territorial distribution in that hemisphere by any fresh acquisitions on the part of any European State would be a highly inexpedient change. But they are not prepared to admit that the recognition of that expediency is clothed with the sanction which belongs to a doctrine of international law. They are not prepared to admit that the interests of the United States are necessarily concerned in every frontier dispute which may arise between any two of the States who possess dominion in the Western Hemisphere; and still less can they accept the doctrine that the United States are entitled to claim that the process of arbitration shall be applied to any demand for the surrender of territory which one of those States may make against another.

"I have commented in the above remarks only upon the general aspect of Mr. Olney's doctrines, apart from the special considerations which attach to the controversy between the United Kingdom and Venezuela in its present phase. This controversy has undoubtedly been made more difficult by the inconsiderate action of the Venezuelan Government in breaking off relations with her Majesty's Government, and its settlement has been correspondingly delayed; but her Majesty's Government have not surrendered the hope that it will be adjusted by a reasonable arrangement at an early date.

"I request that you will read the substance of the above despatch to Mr. Olney, and leave him a copy if he desires it."

Lord Salisbury to Sir Julian Pauncefote, Nov. 26, 1895, For. Rel. 1895, I, 563; S. Ex. Doc. 31, 54 Cong. 1 sess. 22.

"In my preceding despatch of to-day's date I have replied only to the latter portion of Mr. Olney's despatch of the 20th July last, which treats of the application of the Monroe doctrine to the question of the boundary dispute between Venezuela and the colony of British Guiana. But it seems desirable, in order to remove some evident misapprehensions as to the main features of the question, that the statement of it contained in the earlier portion of Mr. Olney's despatch should not be left without reply. Such a course will be the more convenient, because, in consequence of the suspension of diplomatic relations, I shall not have the opportunity of setting right misconceptions of this kind in the ordinary way in a despatch addressed to the Venezuelan Government itself.

"Her Majesty's Government, while they have never avoided or declined argument on the subject with the Government of Venezuela, have always held that the question was one which had no direct bearing on the material interests of any other country, and have consequently refrained hitherto from presenting any detailed statement of their case either to the United States or to other foreign governments.

"It is, perhaps, a natural consequence of this circumstance that Mr. Olney's narration of what has passed bears the impress of being mainly, if not entirely, founded on *ex parte* statements emanating from Venezuela, and gives, in the opinion of Her Majesty's Government, an erroneous view of many material facts. . . .¹

"Although the negotiations in 1890, 1891, and 1893 did not lead to any result, Her Majesty's Government have not abandoned the hope that they may be resumed with better success, and that when the internal politics of Venezuela are settled on a more durable basis than has lately appeared to be the case, her Government may be enabled to adopt a more moderate and conciliatory course in regard to this question than that of their predecessors. Her Majesty's Government are sincerely desirous of being on friendly relations with Venezuela, and certainly have no design to seize territory that properly belongs to her, or forcibly to extend sovereignty over any portion of her population.

"They have, on the contrary, repeatedly expressed their readiness to submit to arbitration the conflicting claims of Great Britain and Venezuela to large tracts of territory which from their auriferous nature are known to be of almost untold value. But they can not consent to entertain, or to submit to the arbitration of another power or of foreign jurists, however eminent, claims based on the extravagant pretensions of Spanish officials in the last century, and involving the transfer of large numbers of British subjects, who have for many years enjoyed the settled rule of a British colony, to a nation of different race and language, whose political system is subject to frequent disturbance, and whose institutions as yet too often afford very inadequate protection to life and property. No issue of this description has ever been involved in the questions which Great Britain and the United States have consented to submit to arbitration, and Her Majesty's Government are convinced that in similar circumstances the Government of the United States would be equally firm in declining to entertain proposals of such a nature.

"Your excellency is authorized to state the substance of this dispatch to Mr. Olney, and to leave him a copy of it if he should desire it."

Lord Salisbury to Sir Julian Pauncefote, Nov. 26, 1895, For. Rel. 1895, I, 567; S. Ex. Doc. 31, 54 Cong. 1 sess. 26.

"It being apparent that the boundary dispute between Great Britain and the Republic of Venezuela concerning the limits of British Guiana was approaching an acute stage, a definite statement of the interest and policy of the United States as regards the controversy seemed to be required both on its own account and in view of its relations with the friendly powers directly concerned. In July last, therefore, a dispatch was addressed to our ambassador at London for communication to the British Government, in which the attitude of the United States was fully and distinctly set forth.

¹ The omitted portion of this document deals with the merits of the territorial claims of Great Britain.

The general conclusions therein reached and formulated are in substance that the traditional and established policy of this Government is firmly opposed to a forcible increase by any European power of its territorial possessions on this continent; that this policy is as well founded in principle as it is strongly supported by numerous precedents; that as a consequence the United States is bound to protest against the enlargement of the area of British Guiana in derogation of the rights and against the will of Venezuela; that, considering the disparity in strength of Great Britain and Venezuela, the territorial dispute between them can be reasonably settled only by friendly and impartial arbitration, and that the resort to such arbitration should include the whole controversy, and is not satisfied if one of the powers concerned is permitted to draw an arbitrary line through the territory in debate and to declare that it will submit to arbitration only the portion lying on one side of it. In view of these conclusions, the dispatch in question called upon the British Government for a definite answer to the question whether it would or would not submit the territorial controversy between itself and Venezuela in its entirety to impartial arbitration. The answer of the British Government has not yet been received, but it is expected shortly, when further communication on the subject will probably be made to the congress."

President Cleveland, annual message, Dec. 2, 1895, *For. Rel.* 1895, I, xxviii.

"In my annual message addressed to the Congress on the third instant I called attention to the pending boundary controversy between Great Britain and the Republic of Venezuela and recited the substance of a representation made by this Government to her Britannic Majesty's Government suggesting reasons why such dispute should be submitted to arbitration for settlement, and inquiring whether it would be so submitted.

"The answer of the British Government, which was then awaited, has since been received and, together with the dispatch to which it is a reply, is hereto appended.

"Such reply is embodied in two communications addressed by the British Prime Minister to Sir Julian Pauncefote, the British Ambassador at this Capital. It will be seen that one of these communications is devoted exclusively to observations upon the Monroe doctrine, and claims that in the present instance a new and strange extension and development of this doctrine is insisted on by the United States, that the reasons justifying an appeal to the doctrine enunciated by President Monroe are generally inapplicable 'to the state of things in which we live at the present day,' and especially inapplicable to a controversy involving the boundary line between Great Britain and Venezuela.

"Without attempting extended argument in reply to these positions, it may not be amiss to suggest that the doctrine upon which we stand is strong and sound because its enforcement is important to our peace and safety as a nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life, and can not become obsolete while our Republic endures. If the balance of power is justly a cause for jealous anxiety among the governments of the Old World, and a subject for our absolute noninterference, none the less is an observance of the Monroe doctrine of vital concern to our people and their Government.

"Assuming, therefore, that we may properly insist upon this doctrine

without regard to 'the state of things in which we live,' or any changed conditions here or elsewhere, it is not apparent why its application may not be invoked in the present controversy.

"If a European power, by an extension of its boundaries, takes possession of the territory of one of our neighboring republics against its will and in derogation of its rights, it is difficult to see why to that extent such European power does not thereby attempt to extend its system of government to that portion of this continent which is thus taken. This is the precise action which President Monroe declared to be 'dangerous to our peace and safety,' and it can make no difference whether the European system is extended by an advance of frontier or otherwise.

"It is also suggested in the British reply that we should not seek to apply the Monroe doctrine to the pending dispute because it does not embody any principle of international law which 'is founded on the general consent of nations,' and that 'no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before, and which has not since been accepted by the government of any other country.'

"Practically the principle for which we contend has peculiar if not exclusive relation to the United States. It may not have been admitted in so many words to the code of international law, but since in international councils every nation is entitled to the rights belonging to it, if the enforcement of the Monroe doctrine is something we may justly claim it has its place in the code of international law as certainly and as securely as if it were specifically mentioned, and where the United States is a suitor before the high tribunal that administers international law the question to be determined is whether or not we present claims which the justice of that code of law can find to be right and valid.

"The Monroe doctrine finds its recognition in those principles of international law which are based upon the theory that every nation shall have its rights protected and its just claims enforced.

"Of course this Government is entirely confident that under the sanction of this doctrine we have clear rights and undoubted claims. Nor is this ignored in the British reply. The prime minister, while not admitting that the Monroe doctrine is applicable to present conditions, states: 'In declaring that the United States would resist any such enterprise if it was contemplated, President Monroe adopted a policy which received the entire sympathy of the English Government of that date.' He further declares: 'Though the language of President Monroe is directed to the attainment of objects which most Englishmen would agree to be salutary, it is impossible to admit that they have been inscribed by any adequate authority in the code of international law.' Again he says: 'They (Her Majesty's Government) fully concur with the view which President Monroe apparently entertained, that any disturbance of the existing territorial distribution in the hemisphere by any fresh acquisitions on the part of any European state, would be a highly inexpedient change.'

"In the belief that the doctrine for which we contend was clear and definite, that it was founded upon substantial considerations and involved our safety and welfare, that it was fully applicable to our present conditions and to the state of the world's progress and that it was directly related to the pending controversy and without any conviction as to the final merits of the dispute, but anxious to learn in a satisfactory and conclusive manner whether

Great Britain sought, under a claim of boundary, to extend her possessions on this continent without right, or whether she merely sought possession of territory fairly included within her lines of ownership, this Government proposed to the Government of Great Britain a resort to arbitration as the proper means of settling the question to the end that a vexatious boundary dispute between the two contestants might be determined and our exact standing and relation in respect to the controversy might be made clear.

"It will be seen from the correspondence herewith submitted that this proposition has been declined by the British Government, upon grounds which in the circumstances seem to me to be far from satisfactory. It is deeply disappointing that such an appeal actuated by the most friendly feelings towards both nations directly concerned, addressed to the sense of justice and to the magnanimity of one of the great powers of the world and touching its relations to one comparatively weak and small, should have produced no better results.

"The course to be pursued by this Government in view of the present condition does not appear to admit of serious doubt. Having labored faithfully for many years to induce Great Britain to submit this dispute to impartial arbitration, and having been now finally apprized of her refusal to do so, nothing remains but to accept the situation, to recognize its plain requirements and deal with it accordingly. Great Britain's present proposition has never thus far been regarded as admissible by Venezuela, though any adjustment of the boundary which that country may deem for her advantage and may enter into of her own free will can not of course be objected to by the United States.

"Assuming, however, that the attitude of Venezuela will remain unchanged, the dispute has reached such a stage as to make it now incumbent upon the United States to take measures to determine with sufficient certainty for its justification what is the true divisional line between the Republic of Venezuela and British Guiana. The inquiry to that end should of course be conducted carefully and judicially and due weight should be given to all available evidence records and facts in support of the claims of both parties.

"In order that such an examination should be prosecuted in a thorough and satisfactory manner I suggest that the Congress make an adequate appropriation for the expenses of a commission, to be appointed by the Executive, who shall make the necessary investigation and report upon the matter with the least possible delay. When such report is made and accepted it will in my opinion be the duty of the United States to resist by every means in its power as a willful aggression upon its rights and interests the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela.

"In making these recommendations I am fully alive to the responsibility incurred, and keenly realize all the consequences that may follow.

"I am nevertheless firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking peoples of the world as being otherwise than friendly competitors in the onward march of civilization, and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice and the consequent loss of national self-respect and honor beneath which are shielded and defended a people's safety and greatness."

President Cleveland, special message to Congress, Dec. 17, 1895, S. Ex. Doc. 31, 54 Cong. 1 sess.; For. Rel. 1895, I, 542.

Both houses of the Brazilian Congress unanimously adopted a motion of congratulation on President Cleveland's special message of December 17, 1895, on the Venezuelan boundary dispute. (Mr. Mendonça, Brazilian minister, to Mr. Olney, Secretary of State, Dec. 20, 1895, For. Rel. 1895, I, 75.)

February 13, 1896, the minister of Costa Rica at Washington informed Mr. Olney that his Government had observed with pleasure the attitude of the United States in the Anglo-Venezuelan controversy, as set forth in the President's message. (Mr. Calvo, Costa Rican minister, to Mr. Olney, Secretary of State, Feb. 13, 1896, For. Rel. 1895, I, 204.)

The attitude of the United States in the Anglo-Venezuelan dispute is criticised, and the view of the Monroe doctrine prevalent in Europe is set forth, by M. Hector Pétin, in *Les États-Unis et La Doctrine de Monroe*, chap. ix. 211-237; cited by F. B. Loomis, *Some Phases of the Monroe Doctrine*, the United States and Latin America, 6-10.

See, also, Maurice de Beaumarchais, *La Doctrine de Monroe*, 115-144; Reddaway, *The Monroe Doctrine*, 141 et seq.; Münsterberg's *The Americans*.

"The entire correspondence having been laid before Congress by the President with his message of December 17, 1895, that body provided for the appointment of a domestic commission of eminent jurists to examine and report touching the ascertainable facts of the controversy, with a view to enable this Government to determine its further course in the matter. That commission has pursued its labors unremittingly during the present year, its researches being greatly aided by the elaborate statements placed at its disposal by both the interested Governments together with a mass of documentary evidence furnished from the archives of the European countries that shared in the early discoveries and settlement of South America.

"Pending this arduous investigation, however, the Governments of the United States and Great Britain have omitted no endeavor to reach a friendly understanding upon the main issue of principle through diplomatic negotiation, and it is most gratifying to announce that amicable counsels have prevailed to induce a satisfactory result, whereby the boundary question and its associated phases have been at last eliminated as between this country and England. A complete accord has been reached between them, by which the substantial terms of a treaty of arbitration to be concluded by Great Britain and Venezuela have been agreed upon, the provisions of which embrace a full arbitration of the whole controversy upon bases alike just and honorable to both the contestants. It only remains for the two parties directly concerned to complete this equitable arrangement by signing the proposed formal treaty, and no doubt is entertained that Venezuela, which has so earnestly sought the friendly assistance of the United States toward the settlement of this vexatious contention, and which has so unreservedly confided its interests to the impartial judgment of this Government, will assent to the formal adjustment thus attained, thus forever ending a dispute involving far-reaching consequences to the peace and welfare of the Western Continent.

"Coincidentally with the consideration of the Venezuelan boundary question, the two Governments have continued negotiations for a general convention, in the line of the recommendations of the British House of Commons, to which previous messages of the President have adverted, that all differences hereafter arising between the two countries and not amenable to ordinary diplomatic treatment should be referred to arbitration. The United States and Great Britain having given repeated proofs of their acquiescence in the great principle involved, not only by treaties between

themselves, but severally by concluding like adjustments with other powers for the adjudication of disputes resting on law and fact, the subject was naturally approached in a benevolent spirit of agreement, and the negotiations have so satisfactorily progressed as to foreshadow a practical agreement at an early date upon the text of a convention to the desired end."

Report of Mr. Olney, Secretary of State, to the President, Dec. 7, 1896, For. Rel. 1896, lxxi.

For correspondence leading up to the conclusion of the treaty for the arbitration of the boundary dispute between Great Britain and Venezuela, see For. Rel. 1896, 240 et seq. The treaty was signed at Washington, Feb. 2, 1897. See For. Rel. 1895, II, 1480-1491, for Venezuelan communications.

"The Venezuelan boundary question has ceased to be a matter of difference between Great Britain and the United States, their respective Governments having agreed upon the substantial provisions of a treaty between Great Britain and Venezuela submitting the whole controversy to arbitration. The provisions of the treaty are so eminently just and fair, that the assent of Venezuela thereto may confidently be anticipated." (President Cleveland, annual message, Dec. 7, 1896, For. Rel. 1896; xxxvi.)

"The arbitral tribunal appointed under the treaty of February 2, 1897, between Great Britain and Venezuela, to determine the boundary line between the latter and the colony of British Guiana, is to convene at Paris during the present month. It is a source of much gratification to this Government to see the friendly resort of arbitration applied to the settlement of this controversy, not alone because of the earnest part we have had in bringing about the result, but also because the two members named on behalf of Venezuela, Mr. Chief Justice Fuller and Mr. Justice Brewer, chosen from our highest court, appropriately testify the continuing interest we feel in the definitive adjustment of the question according to the strictest rules of justice. The British members, Lord Herschell and Sir Richard Collins, are jurists of no less exalted repute, while the fifth member and president of the tribunal, M. F. de Martens, has earned a world-wide reputation as an authority upon international law." (President McKinley, annual message, Dec. 5, 1898, For. Rel. 1898, lxxxiii.)

"I have the honor to acknowledge the receipt through the Venezuelan minister at this capital of a copy of your instruction of January 15th last, stating that the Government of Venezuela proposes to request all the nations of North, Central and South America to form an effective agreement in order that the Guiana boundary question may speedily reach the honorable and peaceful end which justice and reason demand; also to call a Congress which shall categorically define the rights of those nations and devise such means as may be necessary to prevent their political existence from being menaced by the dangers which frequently grow out of international demands.

"In reply, I have the honor to say that the contents of this instruction have been read with great interest, and that when the proposed invitation to the United States is received, it will have that careful attention which the great importance of the subject deserves."

Mr. Olney, Secretary of State, to Señor Rojas, Venezuelan minister of foreign affairs, March 18, 1896.

"The Commission appointed by the President of the United States 'to investigate and report upon the true divisional line between the Republic of Venezuela and British Guiana' has organized by the election of the Hon. David J. Brewer, justice of the Supreme Court of the United States, as its president, and is entering upon the immediate discharge of its duties.

"Since its organization I have received a letter from the president of the Commission, in which, while pointing out that it is in no view an arbitral tribunal, he nevertheless suggests that Great Britain and Venezuela, the parties immediately interested in the subject-matter of the Commission's

inquiry, may both, or either of them, desire or see fit to aid the labors of the Commission and facilitate their reaching a correct conclusion by giving it the benefit of such documentary proof, historical narrative, unpublished archives, or other evidence as either may possess or control.

"Justice Brewer adds:

"It is scarcely necessary to say that if either should deem it proper to designate an agent or attorney whose duty it would be to see that no such proofs were omitted or overlooked, the Commission would be grateful for such evidence of good will, and for the valuable results which would be likely to follow therefrom."

"Either party responding affirmatively to the Commissioners' invitation would do so of course merely as *amicus curiæ*. As the president of the Commission declares in the concluding sentence of his communication:

"The purposes of the pending investigation are certainly hostile to none, nor can it be of advantage to any that the machinery devised by the Government of the United States to secure the desired information should fail of its purpose."

"Requesting you to bring the matter to the attention of the British foreign office at your earliest convenience, I am, etc."

Mr. Olney, Secretary of State, to Mr. Bayard, ambassador to England, No. 956, Jan. 18, 1896, For. Rel. 1895, I, 576.

An identic communication was sent on the same day to Mr. Andrade, Venezuelan minister at Washington. (For. Rel. 1895, II, 1489.)

"Lord Salisbury readily places at the disposal of the Government of the United States any information in the hands of Her Majesty's Government relating to Venezuela boundary. Engaged in collecting documents for presentation to Parliament. He will have great pleasure in forwarding advance copies as soon as completed."

Mr. Bayard,^h ambassador to England, to Mr. Olney, Secretary of State, tel., Feb. 9, 1896, For. Rel. 1895, I, 576.

"The International Commission of Arbitration, appointed under the Anglo-Venezuelan treaty of 1897, rendered an award on October 3d last, whereby the boundary line between Venezuela and British Guiana is determined, thus ending a controversy which has existed for the greater part of the century. The award, as to which the arbitrators were unanimous, while not meeting the extreme contention of either party, gives to Great Britain a large share of the interior territory in dispute and to Venezuela the entire mouth of the Orinoco, including Barima Point and the Caribbean littoral for some distance to the eastward. The decision appears to be equally satisfactory to both parties."

President McKinley, annual message, Dec. 5, 1899, For. Rel. 1899, xxxii.

V. Intervention of the United States in the coercive acts of Great Britain, Germany, and Italy against Venezuela in 1902-1903. In this conflict the three claimant Powers considered it necessary, prior to sending an ultimatum to Venezuela to adopt measures against it, to ask for the opinion of the United States in this respect.¹

¹ See under Germany, No. IV, *post*, pp. 99-105, for quotations from Moore's *Digest* relating to this question.

Illustrious members of the British Cabinet declared at that time that England accepted the Monroe Doctrine without reservation, to wit:

Lord Cranborne, before the House of Commons, December 15, 1902: "It has been asked what view the United States takes of the situation. I can inform the House that the United States takes the very reasonable and sensible view of the situation that was to be expected from that country. They recognise that the insistence of England that the Venezuelan Government should meet its engagements and respect the rights of British subjects is in no way an infraction of the Monroe doctrine, and they recognise that no nation in the world has been more anxious than England to assist them in maintaining that doctrine. As the House is aware, in a celebrated passage in his Message to Congress, the President announced that in insisting on a South American Republic meeting its international obligations no European Power was infringing the Monroe doctrine."¹

Mr. Balfour: "The Monroe Doctrine has no enemies in this country that I know of. We welcome any increase of the influence of the United States of America upon the great Western Hemisphere. We desire no colonisation, we desire no alteration in the balance of power, we desire no acquisition of territory. We have not the slightest intention of interfering with the mode of government of any portion of that continent. The Monroe Doctrine, therefore, is really not in the question at all."²

Duke of Devonshire, in a speech before the House of Lords on February 17, 1903: "Accepting as we do fully and unreservedly the Monroe doctrine, to which the Government and the people of the United States attach so great importance, I cannot conceive that anything could have had a greater tendency to lessen the force and acceptance of the Monroe doctrine by the European Powers than any endeavour to import into that doctrine consequences and principles which have never been claimed for it by its authors. Rightly or not, wisely or unwisely, probably wisely and rightly, the Government of the United States has never accepted any responsibility for the acts of the Republics established in South America; and if, in deference to supposed, and I believe erroneously supposed, susceptibilities on the part of the Government of the United States, we, or other Powers of Europe, were to abstain from enforcing claims which we believe to be just and

¹ *The Parliamentary Debates*, 1902, vol. 16, pp. 1262-63.

² *The Review of Reviews*, edited by W. T. Stead, London; vol. xxvii (January-June, 1903), p. 232.

essential to the maintenance of our own honour, and the protection of our own subjects, such a course would make the Monroe Doctrine an object of dislike and opposition to every civilized Power in the world.”¹

The Marquess of Lansdowne: “One word in reply to what the noble Lord said as to the manner in which in this controversy, we have dealt with the United States Government. I hope I may be allowed to say that I do not yield to the noble Lord, or to any one in this House, in my desire that nothing should be done to give offence to the susceptibilities of the United States, or to indicate to them that we have any desire to impugn the Monroe Doctrine. With regard to the United States, we certainly in this matter cannot be accused of having run the risk of alienating their sympathies by our conduct.”²

Mr. Chamberlain and Mr. Balfour, according to the following quotation from Roosevelt’s *American Ideals*: “Mr. Chamberlain . . . announces with bland indifference to the expressed opinion of his nominal chief [Lord Salisbury], that England does recognize the existence of the Monroe Doctrine and never thought of ignoring it. Lord Salisbury himself has recently shown symptoms of changing ground and taking this position; while Mr. Balfour has gone still further in the right direction, and the Liberal leaders farther yet.”³

Lord Avebury declared before the House of Lords on March 2, 1903, that he hoped the United States would recognize that “the Monroe claim involves a certain responsibility” in the case that the Latin States of America should not conduct themselves properly, and that the States of Central America could not look for protection against annexation if they did not comply with their duty.⁴

SPAIN

✓ I. Since the year 1825 the Government of the United States has declared on several occasions that it would not consent to the transfer of the island of Cuba to any European Power, especially England, nor to the occupation thereof.⁵

In 1840, especially, the Secretary of State, Mr. Forsyth, in a communication addressed to the United States minister in Spain said that “you are authorized to assure the Spanish Government that in case

¹ *The Parliamentary Debates*, 1903, vol. 1, pp. 25-26.

² Meeting of the House of Lords, March 2, 1903. *Ibid.*, pp. 1065-66.

³ Theodore Roosevelt, *American Ideals* (New York, 1920), p. 223.

⁴ *The Parliamentary Debates*, 1903, vol. 1, p. 1058.

⁵ Moore, *Digest*, vol. VI, pp. 447-60. See under England, *ante*, pp. 40-50, for a reprint of the greater part of these pages from Professor Moore’s work.

of any attempt, from whatever quarter, to wrest from her this portion of her territory [Cuba], she may securely depend upon the military and naval resources of the United States to aid her in preserving or recovering it.”¹

II. In 1858 the Spanish minister in Washington, Mr. Tassara, stated to the Department of State “that a Spanish naval force had been ordered to the coast of Mexico solely for the purpose of protecting the persons and property of Spanish subjects and compelling the Mexican Government to do justice to Spain for injuries which had been committed. Mr. Tassara’s assurances were received with satisfaction, and the American minister at Madrid was authorized so to advise the minister of foreign affairs, and at the same time to take advantage of the opportunity to say that the United States considered Mexico’s ‘freedom from foreign control’ to be ‘essential to the true policy of the independent states of America, and that any attempt to subdue or hold possession of’ that country ‘would be considered by the United States as an unfriendly act, and would be firmly opposed by them.’”²

III. Antecedents of the Spanish-American War of 1898. For a statement of these antecedents, see Part II of this work under the extract printed from the author’s *Le droit international américain*.³

FRANCE

I. Since 1825 the United States Government has declared on several occasions that it would never consent to Cuba’s transfer to any great European Power, especially to England, or to its occupation by any of them.⁴

In a communication sent by the Secretary of State, Mr. Clay, on October 25, 1825, addressed to the minister of the United States in France, it is stated that the United States “could not consent to the occupation” of Cuba and Porto Rico “by any other European power than Spain, under any contingency whatever.”⁵

And the same Secretary of State, Mr. Clay, under date of October 26, 1825, told the minister of the United States in England that “the United States instructed its minister at Paris to inform the French Government that under no contingency, with or without the consent

¹ Moore, *Digest*, vol. VI, p. 450.

² *Ibid.*, pp. 478, 480-82.

³ *Post*, pp. 212 *et seq.*

⁴ Moore, *Digest*, vol. VI, pp. 447-60. See also under England, *ante*, pp. 40-50, where the greater part of Professor Moore’s material on this subject is reprinted.

⁵ Moore, *ibid.*, p. 447.

of Spain, could the United States agree to the occupation of Cuba or Porto Rico by France." ¹

In a communication addressed by the Acting Secretary of State, Mr. Crittenden, under date of October 22, 1851, to the United States minister to France, it is said among other things, that "the Government of France and other European nations had long been officially apprised that the United States could not see without concern the island transferred by Spain to any other European state. Moreover, the people of the United States were 'naturally jealous of European interference in American affairs.'" ²

II. In 1844 the Government of the United States was advised that the Governments of Great Britain and France desired to formulate a joint protest against the proposal of the annexation of Texas. The Secretary of State, Mr. Calhoun, under date of August 26 of the same year told the minister at France that "such a step, had it been taken by France must have excited unkind feelings, and given to the United States just cause of complaint. The Government of the United States will confidently rely on the assurances of Mr. Guizot, and it is hoped that, neither separately nor jointly with any other power, will France adopt a course which would seem so little in accordance with her true interests, or the friendly relations which have so long subsisted between the two countries. . . . In regard to Mr. Guizot's inquiry respecting a proposed guaranty of the independence of Texas, your reply was well timed and judicious. The settled policy of the United States has been to avoid entering into such guaranties, except in cases of strong necessity. The present case offers no reasons to warrant a deviation from that policy." ³

III. In 1852 the Government of the United States refused to sign a treaty proposed by England and France, whereby these three nations would disclaim all intention to acquire possession of the Island of Cuba. ⁴

IV. M. de Sartiges, the French minister, called at the Department of State and stated that he had been directed by Count Walewski to say "that the French Government had been invited by the British Government to despatch a naval force to San Juan del Norte with orders to land a force, if requested to do so by the Nicaraguan Government, to repel any attack which might be made by illegal military expeditions against that country." The Secretary of State, Mr.

¹ Moore, *Digest*, vol. VI, p. 458.

² *Ibid.*, p. 453.

³ *Ibid.*, p. 530.

⁴ *Ibid.*, pp. 460-71. For the facts as reprinted from Moore, see under England, *ante*, pp. 50-59.

Cass, in several communications addressed to the ministers to England and France, under date of November 26, 1858, states that "this measure, if carried into effect, would but complicate still more the difficulties in Central America. . . . That a concert of action between France and Great Britain for the employment of force in that region would give much dissatisfaction to the American people, as well as to this Government." ¹

V. Concerning the attitude of the United States in respect to the proposed joint intervention of Great Britain and France in Mexico in 1860 Professor Moore states the following:

About the middle of July, 1860, the British Government, through Lord Lyons, its minister at Washington, invited the United States to join Great Britain and France in addressing an identic note to the Miramon and Juarez governments in Mexico, advising the calling of a national assembly to settle their domestic difficulties upon some reasonable basis. This invitation was submitted to President Buchanan, and in due time Lord Lyons was advised that the general policy of the United States was "opposed to any interference, especially the joint interference, of other powers in the domestic affairs of an independent nation." . . .

It appears that after Lord Lyons delivered the invitation above mentioned, the French chargé d'affaires made a similar communication to the Department of State, and, while giving an assurance that France had not the slightest idea of resorting to force in the matter, added that, if the rights and interests of French citizens should be violated in Mexico, the Government of France would feel at liberty to adopt such measures as might be deemed expedient. In reply, Mr. Cass declared that . . . "the permanent occupation of any part of the territory of Mexico by foreign power, or an attempt in any manner forcibly to interfere in its internal concerns or to control its political destiny, would give great dissatisfaction to the United States." The policy of the United States on this subject was, said Mr. Cass, well known to all the powers interested in the question, and it would be "adhered to under all circumstances." ²

VI. In 1861 the Secretary of State, Mr. Seward, refused to adhere to an agreement signed by the representatives of France, Spain, and England in London on October 31 of that year, aiming to obtain by combined action against the Mexican Republic, the indemnities which they claimed for damages caused to their nationals by reason of the internal disturbances which had taken place in that country. Article II of the agreement provided that "the high contracting parties bind themselves not to seek for themselves, in the employment of the coercive measures foreseen by the present convention, any acquisition of territory, or any peculiar advantage, and not to exercise in the subsequent affairs of Mexico any influence of a character to impair

¹ Moore, *Digest*, vol. VI, p. 444.

² *Ibid.*, pp. 479-80.

the right of the Mexican nation to choose and freely to constitute the form of its own government.”¹

VII. Following is a brief sketch of the origin of the French intervention in Mexico (1862–1867) as given by Professor Moore:

Toward the end of 1861, naval vessels of England, France, and Spain sailed for Vera Cruz, with the avowed intention of taking possession of the custom-houses of two or three Mexican ports for the purpose of satisfying the claims of their respective governments. Within a few weeks after the arrival of these ships and before the allies had done much more than seize Vera Cruz, the English and Spanish commanders became dissatisfied with the course of the French. The English and the Spanish forces withdrew in April, 1862, after an agreement had been reached with Mexico as to the claims of their governments. The triple alliance was thus dissolved. In spite of the fact that the three European powers had agreed to respect “the right of the Mexican nation to choose and constitute freely the form of its government,” the French, after the English and the Spanish had retired from Vera Cruz, presented an ultimatum demanding the payment of \$27,000,000, and soon afterwards began a forced march toward the City of Mexico, which they entered in June, 1863. They then set up a provisional government, and later named an assembly of notables, which was almost exclusively composed of enemies of the constitutional government of Juarez. In July, 1863, the assembly met, and without debate resolved, with only two dissenting votes, that an empire should be established, that the throne should be offered to the Archduke Maximilian of Austria, brother of Francis Joseph, and that if he should decline it, the Emperor of the French should be asked to fill the vacancy. Maximilian expressed his willingness to accept, on certain conditions; and on April 10, 1864, he finally accepted the crown. On the same day a convention was entered into between France and the Imperial Government, by which the latter agreed to pay the French claims and the past and future cost of the intervention, under certain conditions; and France practically guaranteed to Maximilian her military protection. He entered the City of Mexico in June, 1864, as Maximilian I.²

In spite of the Civil War, the United States adopted a forceful attitude against France, and compelled the latter to put an end to the intervention.³

VIII. In the discussions that arose in 1880–1881 regarding France's claims against Venezuela, Mr. Blaine, Secretary of State, in a letter to the minister to France of July 23, 1881, in regard to rumors that France intended “taking forcible possession of some of the harbors and a portion of the territory of Venezuela in compensation for debts due to citizens of the French Republic,” said that the United States was unwilling to believe that such a design was entertained by France.⁴

¹ Moore, *Digest*, vol. VI, pp. 485–88.

³ *Ibid.*, pp. 489–507.

² *Ibid.*, pp. 488–89.

⁴ *Ibid.*, pp. 584–86.

IX. In 1888 rumors that the French diplomatic agent in Haiti was making efforts to induce his government in certain contingencies to declare a protectorate over or even to annex that country led to the statement by Secretary of State Mr. Bayard to the minister of the United States to France on December 21, 1888, to the effect that "that Government [the French] is perfectly aware of the well-settled policy of the United States which would lead us to oppose any attempt on the part of a European government to extend its influence in any portion of America."¹

GERMANY

I. Bismarck qualified the Monroe Doctrine as "a species of arrogance particular to the American and quite inexcusable," as well as "an American impertinence."²

II. In 1871 the Secretary of State, Mr. Fish, in a communication addressed to the United States minister to England on June 2, told him:

"Baron Gerolt (the German envoy and minister plenipotentiary) yesterday enquired how the Government of the United States would receive the proposal contained in what he said was a circular addressed by his Government to their Representatives at London, Madrid, Florence, and Copenhagen, proposing a joint and concerted movement to urge on Venezuela a more orderly government, better observance of her engagements, etc., etc."

"He was told that . . . the United States could not look with indifference upon any combination of European powers against an American state; that if Germany or any other power had just cause of war against Venezuela, this Government could interpose no objection to her resorting thereto."³

III. In 1900 the court of cassation of Haiti having held, in a litigation between German subjects, that the tribunals of the country were incompetent to entertain suits between aliens, except by consent of the parties, the German minister suggested that there should be established at Port au Prince, through the action of the foreign Powers, an independent tribunal for the trial of such suits, its decisions to be respected and carried out by the Haitian Government.

The American minister at Port au Prince was instructed that the proposed measure "would appear to be such an essential interference

¹ Moore, *Digest*, vol. VI, p. 433.

² A. B. Hart, *The Monroe Doctrine: An Interpretation* (Boston, 1916), pp. 275, 278; see the statements of Emperor William regarding the United States, *ibid.*, p. 277.

³ Moore, *ibid.*, VI, p. 531.

with the sovereign rights of Hayti that the Government of the United States could not view it with approval." ¹

IV. On the occasion of the coercive action of Great Britain, Germany, and Italy against Venezuela in 1902-1903, Germany made no express declarations on the Monroe Doctrine, but acknowledged it in principle in the memorandum of the German ambassador of December 11, 1901, by declaring especially that no acquisition or permanent occupation of Venezuelan territory was intended. Professor Moore's digest of this subject follows: ²

"Against the Venezuelan Government there is a claim pending of the Berlin Company of Discount (Berliner Disconto Gesellschaft) on account of the nonperformance of engagements which the Venezuelan Government has undertaken in connection with the great Venezuelan Railway which has been built by the said Government. Those obligations amount for the time being to fully 6,000,000 bolivares (1 bolivar to be counted as 80 pfennige). The obligations continue to increase, as the interest for the values of the 5 per cent Venezuelan loan of the year 1896, which was emitted to the amount of 33,000,000 bolivares and which have been transmitted to the company as a guaranty for the payment of interest of the capital spent in building, has not been paid regularly since seven years, nor has the payment been made regularly to the sinking fund.

"This behavior of the Venezuelan Government could, perhaps, to a certain degree be explained and be excused by the bad situation of the finances of the state; but our further reclamations against Venezuela, which date from the Venezuelan civil wars of the years 1898 until 1900, have taken during those last months a more serious character. Through those wars many German merchants living in Venezuela and many German landowners have been seriously damaged, as partly compulsory loans have been extorted from them, partly requisites of war which have been found in their possession, as especially the cattle necessary for the feeding of the troops have been taken from them without being paid for, partly their houses and grounds have been ransacked or devastated. The amount of these damages comes to fully 2,000,000 bolivares. This amount is to be divided between 35 claimants, who are partly poor people. Several of the damaged have lost nearly all their possessions, and through this their creditors who live in Germany have suffered likewise. Very likely these reclamations will be presently put before the Reichstag.

"Evidently the Venezuelan Government, if we judge it after its behavior in the present, is not willing to fulfill its engagements in compensating these damages. After having first fixed a six-monthly term during which the Government refused to discuss any claims for compensation, the Government issued in January last a decree stating that a commission consisting solely of Venezuelan officials should decide about the claims, which the damaged would have to bring to their knowledge during three months. The proceedings as settled by this decree seem in three articles not to be acceptable. First of all, that all the claims for damage which came from the time before the 23d of May, 1899 (that means before the appointment

¹ Moore, *Digest*, vol. VI, p. 476.

² *Ibid.*, pp. 586-94.

of the present President of the Republic, Castro), should not be considered, while of course the government of Castro is, as all other governments, responsible for the deeds of its predecessors. Another article said that all diplomatic protestations against decisions of the commission should be excluded and only the appeal to the supreme Venezuelan court of justice should be admitted. The members of this court are entirely pendent on the Government, and have frequently been simply dismissed by the President. Finally, the Government wanted to pay for the claims which should be recognized by the commission only with bonds of a newly to be emitted revolution debt, which would be, after the experiences made, up till present without any value.

"The behavior of the Venezuelan Government must therefore be considered as a frivolous attempt to avoid just obligations. As was to be expected, several of the few German claims put before the commission have been simply rejected and others have been reduced in a decidedly malicious way. So, by example, a German cattle breeder, from whom fully 3,800 head of cattle, to the value of more than 600,000 bolivares, had been forcibly taken away, got only 15,000 bolivares adjudicated. But the Government has not paid for the claims recognized as just by the commission, but has told the damaged that a bill in their interest would be submitted to the next Congress.

"The German Government has first tried to induce the Government of Caracas to change their decree in the mentioned three articles. After this expedient had been rejected, it has been by order of the Imperial Government firmly declared to the Venezuelan Government that we are forced under the present circumstances to refuse altogether our acknowledgment of the decree. Similar declarations have been delivered by the predominant majority of the other interested powers, especially of the United States of America, whose reclamations from the Venezuelan civil wars come to fully 1,000,000 bolivares. The Venezuelan Government claims against those declarations that it is not able to treat the foreigners in a different way from the Venezuelan citizens, and that the Government regarded, therefore, the settlement of the reclamations in question as an internal affair of the country in which no foreign power could meddle without injuring the sovereignty of the country. Another attempt to change the mind of the Government has been likewise unsuccessful. The Government has declared in its reply that it had to repel all diplomatic interference in this matter and that the claimants, as the term fixed in the decree had meanwhile passed, had to be exclusively referred to the supreme Venezuelan court of justice.

"Under these circumstances the Imperial Government believes that further negotiations with Venezuela on the present base are hopeless. The Imperial Government proposes therefore to submit the reclamations in question, which have been carefully studied and have been considered as well founded, directly to the Venezuelan Government and to ask for their settlement. If the Venezuelan Government continues to decline as before, it would have to be considered what measures of coercion should be used against it.

"But we consider it of importance to let first of all the Government of the United States know about our purposes so that we can prove that we have nothing else in view than to help those of our citizens who have suffered damages, and we shall first take into consideration only the claims of those German citizens who have suffered in the civil war.

"We declare especially that under no circumstances do we consider in our proceedings the acquisition or the permanent occupation of Venezuelan territory. If the Venezuelan Government should force us to the application of measures of coercion, we should have to consider furthermore if at this occasion we should ask likewise for a greater security for the fulfillment of the claims of the Company of Discount of Berlin.

"After the posing of an ultimatum, first of all the blockade of the more important Venezuelan harbors—that is, principally the harbors of La Guayra and Porto Cabello—would have to be considered as an appropriate measure of coercion, as the levying of duties for import and export being nearly the only source of income of Venezuela would in this way be made impossible. Likewise it would be difficult in this way to provide the country, which depends on the import of corn, with food. If this measure does not seem efficient, we would have to consider the temporary occupation on our part of different Venezuelan harbor places and the levying of duties in those places."

Promemoria of the Imperial German Embassy at Washington, Dec. 11, 1901, For. Rel. 1901, 192.

The German claims were more fully stated in a memorandum of the German foreign office of Dec. 8, 1902, in relation to the ultimatum just then addressed to Venezuela. With reference to the Venezuelan laws or decrees forbidding the diplomatic adjustment of war claims (*supra*, §919), the memorandum said: "She [Venezuela] has established the principle that a diplomatic intervention could be excluded by municipal law. This principle is contrary to the law of nations, as the question whether such a resort is admissible is to be determined not by municipal law, but by the principles of international law." The memorandum also complained that the correspondence was conducted on the part of the Venezuelan Government "in an almost insulting tone"; that confidential communications were published by that Government without asking the consent of the Imperial Government; and that during the war Germans were treated with especial animosity, as when the Government troops at the plundering of Barquisemeto directed their violence mainly against German houses. The Imperial Government had, therefore, on the 7th of December demanded the immediate recognition of the claims growing out of the civil wars from 1898 to 1900, to the amount of 1,700,000 bolivars (\$325,000). There were also other claims, one of which grew out of the building by Germans of a slaughter-house at Caracas under a contract made in 1896 with the Venezuelan Government. The building was completed, but the Venezuelan Government had stopped the stipulated weekly payments and was indebted to the contractors to the amount of 820,000 bolivars. Again, a German company had from 1888 to 1894 built a railroad from Caracas to Valencia, under a concession by which the Venezuelan Government had guaranteed 7 per cent interest on a capital of 77,000,000 bolivars. This obligation, which became due on February 1, 1894, was not met; and in 1896 the Venezuelan Government had obtained a release from the guarantee by paying 33,000,000 bolivars in the certificates of a 5 per cent loan, the payment of interest and sinking fund of which was suspended in 1898, so that the sum due had reached 7,500,000 bolivars and was constantly increasing. "The British claims," said the memorandum, "are partly for the unlawful seizure or destruction of English merchant ships, and in part those of English railroads in Venezuela for the destruction of the roads of the line and nonfulfillment of contractual obligations, some being claims of the holders of the English loan of 1881, on which, as on the German loan, no regular percentage or amortization has been paid for a long period, since 1881." (Memorandum of the claims of Germany against the United States of Venezuela, Dec. 8, 1902, For. Rel. 1903, 429-431.)

"The President in his message of the 3d of December, 1901, used the following language: 'The Monroe doctrine is a declaration that there must be no territorial aggrandizement by any non-American power at the expense of any American power on American soil. It is in no wise intended as hostile to any nation in the Old World.' The President further said: 'This doctrine has nothing to do with the commercial relations of any American power,

save that it in truth allows each of them to form such as it desires. . . . We do not guarantee any State against punishment if it misconducts itself, provided that punishment does not take the form of the acquisition of territory by any non-American power.'

"His excellency the German ambassador, on his recent return from Berlin, conveyed personally to the President the assurance of the German Emperor that His Majesty's Government had no purpose or intention to make even the smallest acquisition of territory on the South American Continent or the islands adjacent. This voluntary and friendly declaration was afterwards repeated to the Secretary of State, and was received by the President and the people of the United States in the frank and cordial spirit in which it was offered. In the memorandum of the 11th of December, his excellency the German ambassador repeats these assurances as follows: 'We declare especially that under no circumstances do we consider in our proceedings the acquisition or the permanent occupation of Venezuelan territory.'

"In the said memorandum of the 11th of December, the German Government informs that of the United States that it has certain just claims for money and for damages wrongfully withheld from German subjects by the Government of Venezuela, and that it proposes to take certain coercive measures described in the memorandum to enforce the payment of these just claims.

"The President of the United States, appreciating the courtesy of the German Government in making him acquainted with the state of affairs referred to, and not regarding himself as called upon to enter into the consideration of the claims in question, believes that no measures will be taken in this matter by the agents of the German Government which are not in accordance with the well-known purpose, above set forth, of His Majesty the German Emperor."

Memorandum, communicated by Mr. Hay, Secretary of State, to the Imperial German Embassy, Dec. 16, 1901, in reply to the embassy's promemoria of Dec. 11, 1901, *For. Rel.* 1901, 195.

Dec. 12, 1902, Mr. Hay instructed the American ambassadors at London and Berlin to say that Venezuela had requested the United States to convey a proposal of arbitration; and on Dec. 18 he advised them that Venezuela had conferred full powers on the American minister at Caracas. The British and German Governments accepted arbitration in principle, and invited the President of the United States to act as arbitrator; but the German Government reserved the demand for \$325,000 on account of civil war claims (1898-1900), of which it required immediate recognition, while the British Government reserved the claims, small in amount, for the seizure and plundering of British vessels and outrages on their crews and the maltreatment and false imprisonment of British subjects, and required that, in cases where a claim was made for injury to or wrongful seizure of property, the arbitrators should be empowered to determine only (1) whether the injury took place and whether the seizure was wrongful; and (2) if so, the amount of compensation due. The President of the United States declined the invitation to himself to act as arbitrator, in favor of a reference to The Hague, which it was found that all the interested powers would accept. In the end only the question of the admissibility of the demand of the blockading powers for the preferential payment of all their claims was submitted to The Hague, under protocols signed at Washington, May 7, 1903. The examination of the claims of the various powers against Venezuela, subject to the reservations made by the British and German Governments, was committed to mixed commissions at Caracas under protocols signed at Washington, Feb. 17, 1903. (*For. Rel.* 1903, 420, 423, 427, 437, 439, 453, 462, 473-474, 475-477, 788-808. [The total awards of the Caracas commissions are given in *For. Rel.* 1904, 871.]

See, as to the negotiation of the protocols, a pamphlet entitled "Correspondence and Cablegrams Relating to the Venezuelan Protocols. By Herbert W. Bowen. Washington, 1903."

The Hague tribunal, by an award rendered on February 22, 1904, decided in favor of the claim of Germany, Great Britain, and Italy for preferential payment. (The Venezuelan Arbitration before The Hague Tribunal, 1903; Proceedings of the Tribunal under the Protocols between Venezuela and Great Britain, Germany, Italy, United States, Belgium, France, Mexico, the Netherlands, Spain, Sweden and Norway, signed at Washington, May 7, 1903. Final Report of the Hon. William L. Penfield, Agent of the United States. Washington, 1905.)

As to the proceedings of the mixed commissions which sat at Caracas, see Report of J. H. Ralston, umpire of the Italian-Venezuelan Commission, S. Doc. 316, 58 Cong. 2 sess., and Report of Robert C. Morris, agent of the United States before the United States and Venezuelan Commission, Washington, 1904.

See also For. Rel. 1904, 863.

For correspondence between Great Britain and Venezuela concerning claims, see Parliamentary Paper, Venezuela, No. 1 (1902).

As to the reestablishment of diplomatic relations between Italy and Venezuela, see For. Rel. 1904, 226.

"I communicated to Mr. Hay this morning the substance of your lordship's telegram of the 11th instant. His Excellency stated in reply, that the United States Government, although they regretted that European powers should use force against Central and South American countries, could not object to their taking steps to obtain redress for injuries suffered by their subjects, provided that no acquisition of territory was contemplated."

Sir Michael Herbert, British ambassador at Washington, to Lord Lansdowne, Nov. 13, 1902, quoted by President Roosevelt in a speech at Chicago on April 2, 1903, Presidential Addresses and State Papers (Statesman ed.), 1, 263.

In the same speech President Roosevelt said: "We hold that our interests in this hemisphere are greater than those of any European power possibly can be, and that our duty to ourselves and to the weaker republics who are our neighbors requires us to see that none of the great military powers from across the seas shall encroach upon the territory of the American republics or acquire control thereover." (Id. 257.)

Dec. 29, 1902, the Argentine minister at Washington was instructed to present to the United States certain views with reference to the proceedings of Germany and Great Britain against Venezuela, and especially with reference to the forcible collection of public debts. The following positions were taken: (1) That, while a capitalist who lends his money to a foreign state always takes into account "the resources of the country and the probability, greater or less," of repayment, it is also true that "it is an inherent qualification of all sovereignty that no proceedings for the execution of a judgment may be instituted or carried out against it;" (2) that, while it was not intended to defend "bad faith, disorder, and deliberate and voluntary insolvency," yet the state should not "be deprived of the right to choose the manner and the time of payment;" (3) that, as states continue to exist, their situation changes, "resources increase, common aspirations of equity and justice prevail, and the most neglected promises are kept;" (4) that alarm had been felt because the failure of Venezuela to meet the payments of its public debt had been given as "one of the determining causes" of the proceedings of the allies; (5) that, as the collection of loans by military means implied "territorial occupation to make them effective," a situation would be created at variance with President Monroe's pronouncement against the acquisition of new colonies by European powers, and that this feature of the case was specially important in view of the tendency among European publicists to regard America as a suitable field for future territorial expansion; (6) that it was not pretended, however, that South American nations were "exempt from the responsibilities of all sorts" which

"violations of international law impose on civilized peoples," or that European powers had not the right to protect their subjects as fully there as elsewhere against "the persecutions and injustices" of which they might be the victims; (7) that the principle which the Argentine Republic wished to see put forth, with the authority and prestige of the United States, was "the principle, already accepted, that there can be no territorial expansion in America on the part of Europe, nor any oppression of the people of this continent, because an unfortunate financial situation may compel some one of them to postpone the fulfillment of its promises," or, in other words, the principle "that the public debt can not occasion armed intervention nor even the actual occupation of the territory of American nations by a European power;" (8) that of the needlessness of armed intervention in such cases there might be cited the example of the Argentine Republic itself, which spontaneously resumed payment of the English debt of 1824 after a suspension of thirty years occasioned by the anarchy and disturbances which afflicted the country during that period—a result which would not have been obtained if the creditors had violently intervened during the critical financial period; (9) that the Argentine Republic harbored no hostility to European nations; that it knew that "where England goes civilization accompanies her, and the benefits of political and civil liberty are extended;" but that this did not mean that it could adhere with equal sympathy to her policy "in the improbable case of her attempting to oppress the nationalities of this continent which are struggling for their own progress, which have already overcome the greatest difficulties and will surely triumph—to the honor of democratic institutions."

Señor Luis M. Drago, Argentine minister of foreign relation, to Señor Mérou, Argentine minister to United States, Dec. 29, 1902, For. Rel. 1903, 1-5.

See reference to this note in the message of the President of the Argentine Republic to the Argentine Congress, May 4, 1903, For. Rel. 1903, 7, 8.

For a severe criticism of the course of the Argentine Government in the *Correio da Manhã* of Rio de Janeiro, March 30, 1903, see For. Rel. 1903, 24.

"Without expressing assent to or dissent from the propositions ably set forth in the note of the Argentine minister of foreign relations dated December 29, 1902, the general position of the Government of the United States in the matter is indicated in recent messages of the President.

"The President declared in his message to Congress, December 3, 1901, that by the Monroe Doctrine 'we do not guarantee any state against punishment if it misconducts itself, provided that punishment does not take the form of the acquisition of territory by any non-American power.'

"In harmony with the foregoing language, the President announced in his message of December 2, 1902:

"'No independent nation in America need have the slightest fear of aggression from the United States. It behooves each one to maintain order within its own borders and to discharge its just obligations to foreigners. When this is done they can rest assured that, be they strong or weak, they have nothing to dread from outside interference.'

"Advocating and adhering in practice in questions concerning itself to the resort of international arbitration in settlement of controversies not adjustable by the orderly treatment of diplomatic negotiation, the Government of the United States would always be glad to see the questions of the justice of claims by one state against another growing out of individual wrongs or national obligations, as well as the guarantees for the execution

of whatever award may be made, left to the decision of an impartial arbitral tribunal before which the litigant nations, weak and strong alike, may stand as equals in the eye of international law and mutual duty."

Memorandum of Mr. Hay, Secretary of State, to Señor Mérou, Argentine minister, Feb. 17, 1903, For. Rel. 1903, 5.

V. Emperor William declared to Ambassador Charlemagne Tower that Germany did not oppose the Monroe Doctrine.¹

VI. At the beginning of the World War, Germany frankly acknowledged the Monroe Doctrine. On September 3, 1914, the German ambassador at Washington sent a communication to the State Department in which he stated that "he was instructed by his Government to deny most emphatically the rumors to the effect that Germany intends, in case she comes out victorious in the present war, to seek expansion in South America."² Towards the end of October, 1914, the newspapers of Europe and the United States declared that the German ambassador in Washington had mentioned the possibility of landing German troops in Canada. The American press considered this to be contrary to the Monroe Doctrine. Later these same dailies stated that the German ambassador had declared in an interview published in one of them that his country was among those which respected the Monroe Doctrine.

VII. Some German publicists have antagonized the Monroe Doctrine; for instance, Professor Hugo Münsterberg in his work on *The Americans*.³ On the other hand, the writer Dr. Bernhard Dernburg, former colonial secretary of the German Government, showed himself in favor of the Doctrine in some of his publications on the occasion of the declarations of the German Government in 1914.⁴

ITALY

In the coercive action of Great Britain, Germany, and Italy against Venezuela in 1902-1903, respecting certain pecuniary claims against the latter, Italy adhered to the action proposed by England and Germany.

JAPAN

For some time past Japan has maintained a doctrine similar to that of Monroe in regard to all matters connected with the Asiatic conti-

¹ *Journal des Débats*, December 21, 1902, p. 2.

² Paraphrased statement of the German note of September 3, 1914, as given out by the State Department and published in *The New York Times*, October 25, 1914, p. 1.

³ New York, 1904, pp. 221-24. See Moore, *Digest*, vol. VI, pp. 528-29.

⁴ Bernhard Dernburg, *Germany and England, the Real Issue in Saturday Evening Post* of November 21, 1914. See in connection herewith A. B. Hart, *op. cit.*, p. 280.

nent; but it is not relevant to establish here the difference between these two doctrines.

III. CASES IN WHICH THE UNITED STATES SEEMS TO HAVE DISREGARDED THE MONROE DOCTRINE AND THE HEGEMONY

I. In 1835 the United States did not support the Federative Republic of Guatemala against the colonization which England had made in Honduras. Concerning this Professor Moore states the following:¹

The British settlers on the Bay of Honduras, under the treaties between Great Britain and Spain, began very early "to make encroachments on the surrounding lands; and these have been carried to such an extent, that the Government of Central America, upon which they have been principally made, has become alarmed, and has appointed a commissioner to proceed to Great Britain for the purpose of remonstrating. In the meantime an agent has been dispatched by the occupants of the territory in question to London, to solicit that the settlement may be declared to be a colony of Great Britain, and that its limits may be coextensive with their usurpations. This agent, it is understood, has been directed by the British Government to proceed to Madrid, for the purpose of arranging the matter with the Spanish Government. The Government of Central America has asked the intermediation of the United States in the negotiation which is about to be set on foot with the Court of St. James. A brief history of the settlement alluded to, with the necessary references, is sent to you with this dispatch. It is expected that you will keep an eye upon the movements of the agent above mentioned in Madrid, and that you will use all prudent means to prevent the conclusion of any arrangement on the subject, as being incompatible with the rights of the Republic of Central America, and injurious to the commercial interests of the whole world, including those of Spain herself."

Mr. Forsyth, Secretary of State, to Mr. Barry, minister to Spain, No. 2, June 30, 1835.

II. The United States also refused to intervene in support of the Argentine Government against England, which, in 1833, took possession of the Falkland Islands:²

"As the resumption of actual occupation of the Falkland Islands by Great Britain in 1833 took place under a claim of title which had been previously asserted and maintained by that Government, it is not seen that the Monroe doctrine, which has been invoked on the part of the Argentine Republic, has any application to the case. By the terms in which that principle of international conduct was announced, it was expressly excluded from retroactive operation.

"If the circumstances had been different, and the acts of the British Government had been in violation of that doctrine, this Government could never regard its failure to assert it as creating any liability to another power for injuries it may have sustained in consequence of the omission."

¹ *Digest*, vol. vi, p. 442.

² *Ibid.*, p. 435.

Mr. Bayard, Secretary of State, to Mr. Quesada, March 18, 1886.

"The right of the Argentine Government, therefore, to jurisdiction over it [the territory of the Falkland Islands], being contested by another power [Great Britain], and upon grounds of claim long antecedent to the acts of Captain Duncan which General Alvear details, it is conceived that the United States ought not, until the controversy upon the subject between those two Governments shall be settled, to give a final answer to General Alvear's note, involving, as that answer must, under existing circumstances, a departure from that which has hitherto been considered as the cardinal policy of this Government." (Mr. Webster, Secretary of State, to Mr. Alvear, Argentine minister, of Dec. 4, 1841.)

In 1886 this question was again taken up in Washington between the Argentine Republic and the Government of the United States and the latter again replied evasively.¹

III. In 1838 France, and in 1845 France and England, intervened by armed force in River Plate with only a weak protest on the part of the United States Government. Professor Moore says:²

Though the United States had in its possession in 1846 information that would justify it in extending, in accordance with its settled policy, recognition to Paraguay as an independent state, yet the President determined to suspend action on the subject "purely from regard to the Argentine Republic and in consideration of the heroic struggle" which it was "maintaining against the armed intervention of Great Britain and France in the concerns of the Republics on the La Plata and its tributaries."

Mr. Buchanan, Secretary of State, to Mr. Harris, March 30, 1846.

The situation referred to in the foregoing instruction arose as follows: In 1828 Brazil and Buenos Ayres, by a treaty concluded through the mediation of England, recognized the independence of what now constitutes the Republic of Uruguay. In 1844 Brazil invoked the intervention of England and France to protect the independence of Uruguay against a Buenos Ayrean attack. In compliance with this request those governments in 1845 instituted a blockade of the coasts of Buenos Ayres.

IV. The Clayton-Bulwer Treaty, April 19, 1850. This treaty is contrary to the Monroe Doctrine for two reasons, because the United States in a statement made after signing the convention, recognize the protectorate which England had at that time over the Mosquito territory, and because it joins England to insure the construction of the proposed interoceanic canal. Later on the United States took certain steps to modify this treaty, and in the course of the negotiations it stated among other things, that the proposed canal would be part of the coast of said country. The treaty was to be abrogated by the Hay-Pauncefote Convention of February 5, 1900, which was not ratified; the final treaty was concluded November 18, 1901.³

V. In 1850 the United States, at the request of the Government of Santo Domingo, joined France and England in a mediation to bring

¹ See *Memoria de Relaciones Exteriores de la República Argentina*, 1886, 1887.

² *Digest*, vol. VI, p. 423. See also *Proceedings of the American Society of International Law*, 1914, pp. 61-65.

³ Moore, *ibid.*, vol. III, pp. 130-222.

an end to the war between that country and Haiti. Orders were issued to the commanding officer of the home squadron of the United States "to cooperate with those of Great Britain and France in any measures short of actual coercion consistent with the views of this Government as conveyed in the instructions from this Department to its special agent in St. Domingo, and subsequently communicated to the British and French legations in this city." (Mr. Derrick, Acting Secretary of State, to Mr. Crampton, British minister, September 4, 1851.)¹

VI. In 1861 the United States protested against the reannexation of the Island of St. Domingo to Spain. The complexity and seriousness of the matters which occupied the mind of the United States Government at that time prevented it from adopting a more forcible attitude.²

VII. In 1862 Colombia, by virtue of the treaty of 1846 with the United States, asked the latter's Government to help restore order in Panama. The Secretary of State, Mr. Seward, asked the French and British Governments to join the United States in order to insure the free transit through the Isthmus; both Governments excused themselves from joining. Professor Moore says:³

June 26, 1862, General Herran, Colombian minister at Washington, invoked the interposition of the United States for the protection of the Isthmus of Panama against the revolutionary chief, Mosquera. Mr. Seward, in a note to Mr. Adams, then minister of the United States in London, July 11, 1862, said: "This Government has no interest in the matter different from that of other maritime powers. It is willing to interpose its aid in execution of its treaty and for the benefit of all nations." He therefore directed Mr. Adams, and also Mr. Dayton, minister to France, to confer with the governments to which they were respectively accredited, as to the action to be taken by the United States, either alone or jointly with those governments, "in guaranteeing the safety of the transit and the authority of the Granadian Confederation, or either of these objects."

Lord Russell, when Mr. Adams brought the subject to his notice, stated that, so far as his information went, no attempt had been made to obstruct the free transit of the Isthmus, but added that, on the happening of an actual derangement of communication, the British Government would readily cooperate with the United States in the measures that might be thought necessary to make good the privileges secured by the guarantee. Mr. Thouvenel replied, in behalf of the French Government, in a similar sense. He also intimated an opinion that Gen. Herran did not represent the Government actually in power in Colombia.

Mr. Seward, Secretary of State, to Mr. Adams, minister to England, July 11, 1862, Cor. in relation to the Proposed Inter-oceanic Canal (Washington, 1885), 6.

¹ Moore, *Digest*, vol. VI, p. 514; cf. pp. 509-14.

² *Ibid.*, pp. 515-18.

³ *Ibid.*, vol. III, p. 13.

The replies of Mr. Adams and Mr. Dayton, dated, respectively, Aug. 1 and Aug. 29, 1862, are given in the same document, pp. 7-8.

VIII. In the war of Spain against Chile and Peru, 1864-1866, the United States Government declared itself neutral, and confined itself to instructing its minister at Madrid to notify the Spanish Government "that the United States can not yield their assent to the positions thus assumed in the name of Spain, or regard with indifference an attempt to reduce Peru by conquest and reannex its territory to the kingdom of Spain."¹

"The policy of the United States in regard to the several Spanish-American states, is, or ought to be well known now, after the exposition it has received during the last five years. We avoid in all cases giving encouragement to expectations which, in the varying course of events, we might find ourselves unable to fulfill; and we desire to be known as doing more than we promise rather than falling short of our engagements. On the other hand, we maintain and insist with all the decision and energy which is compatible with our existing neutrality, that the republican system which is accepted by the people in any one of those States shall not be wantonly assailed, and that it shall not be subverted as an end of a lawful war by European powers. We thus give to those Republics the moral support of a sincere, liberal, and as we think it will appear, a useful friendship. We could claim from foreign states no concession to our own political, moral, and material principles or interests if we should not conform our own proceedings in the needful intercourse with foreign states to the just rules of the laws of nations. We, therefore, concede to every nation the right to make peace or war, for such causes other than political or ambitious as it thinks right and wise. In such wars as are waged between nations which are in friendship with ourselves, if they are not pushed, like the French war in Mexico, to the political point before mentioned, we do not intervene, but remain neutral, conceding nothing to one belligerent that we do not concede to the other, and allowing to one belligerent what we allow to the other.

"We certainly thought that it was an act of friendship on our part that we obtained assurances from Spain, at the beginning and at other stages of the present war, that in any event her hostilities against Chile should not be prosecuted beyond the limits which I have before described. We understand ourselves now and henceforth ready to hold Spain to this agreement, if, contrary, to our present expectations, it should be found necessary. In this we think we are acting a part certainly not unfriendly to Chile. It was thought to be an act of friendship when we used our good offices with both parties to prevent the war. We have thought we were acting a friendly part using the same good offices to secure an agreement for peace without dishonor, or even damage, to Chile. Those who think that the United States could enter as an ally into every war in which a friendly republican State on this continent becomes involved, forget that peace is the constant interest and the unwavering policy of the United States. They forget the frequency and variety of wars in which our friends in this hemisphere engage themselves entirely independent of all control or counsel of the United States.

¹ Moore, *Digest*, vol. vi, p. 507.

We have no armies for the purpose of aggressive war; no ambition for the character of a regulator. Our Constitution is not an imperial one, and does not allow the Executive Government to engage in war except upon the well considered and deliberate decree of the Congress of the United States. A Federal Government consisting of thirty-six equal States, which are in many respects self-governing, cannot easily be committed by its representatives to foreign wars, either of sympathy or of ambition. If there is any one characteristic of the United States which is more marked than any other, it is that they have from the time of Washington adhered to the principle of nonintervention, and have perseveringly declined to seek or contract entangling alliances, even with the most friendly States."

Mr. Seward, Secretary of State, to Mr. Kilpatrick, minister to Chile, June 2, 1866.¹

The Civil War in the United States and the French intervention in Mexico contributed, without doubt, to prevent the United States from playing a more active rôle in this matter.

IX. In 1867, at the time of the constitution of the Dominion of Canada, numerous protests were sent to the Congress of the United States against the formation of the political body which in fact was really a European State. These protests had no effect.²

X. In 1875, during the Cuban insurrection (which lasted ten years, 1868-1878) the Government of the United States expressed the idea of a collective intervention with the European Powers in order to restore peace. The proposal was not carried out.³

XI. By the treaty of August 10, 1877, Sweden retroceded the Island of Saint Bartholomew to France without permission or hindrance from the United States.

XII. In 1897 the United States did not want to intervene in the conflict between Germany and Haiti, during the course of which Germany sent her war-ships to the ports of Haiti. The Secretary of State, Mr. Sherman, under date of December 22, 1897, stated to the United States minister to Haiti that: "This Government is not under any obligation to become involved in the constantly recurring quarrels of the republics of this hemisphere with other States. The Monroe Doctrine, to which you refer, is wholly inapplicable to the case, and the relations and interests of this Government with its neighbors are not benefited by erroneous conceptions of the scope of the policy announced by President Monroe and since strictly followed." ⁴

¹ Moore, *Digest*, vol. VI, pp. 445-46.

³ *Ibid.*, vol. VI, pp. 92-105.

² *Ibid.*, vol. I, p. 581.

⁴ *Ibid.*, p. 475.

PART I
ANNEXES

ANNEX I

PROJECT OF A DECLARATION OF RIGHTS OF THE PEOPLE OF CHILE DISCUSSED IN 1810 BY THE SUPREME GOVERNMENT AND MODI- FIED IN ACCORDANCE WITH THE JUDGMENT OF ITS AUTHOR AS REQUESTED BY ORDER OF THE GOVERNMENT AND HIGH CONGRESS IN 1811¹

No statesman or legislator, on making a declaration of the representation, and the natural and social rights of any State of America, would forget under the present circumstances:

First, that the main object of a people seeking self-government being to establish its liberty in such a manner as to insure internal and external peace, the States of America must unite for their external security against the aims of Europe, and to avoid wars between themselves which would annihilate these new-born States, each preserving, however, its own internal economic policy.

Secondly, that it is very difficult for each nation to maintain by itself in the face of constant danger an isolated sovereignty, which is not believed to be of great interest provided the internal happiness or welfare is secured.

Thirdly, that Europe being at present in a condition of greater disturbance than the States of America, and in view of the large interests that exist between both parts of the world, it is almost impossible for America to consolidate its system perfectly without coming to an agreement with Europe or with some principal part thereof. Therefore, the foremost objects of America being twofold, (1) its happiness, and (2) the permanency of its happiness, it must, by all means and risking all, resolve to perish or be happy securing its internal government; but for the strength and consolidation of this government it is necessary that it should be in accord, not only with the States of its continent, but also in many respects with those of Europe; and by this principle, the kind and nature of its sovereignties should not be established until there is a mutual agreement among the States.

Fourthly, that the day when America assembled in congress, either of the nation or of its two continents or of the South, should speak.

¹ D. Ramon Briseño, *Memoria histórico-crítica del derecho público Chileno, desde 1810 hasta nuestros días* (Santiago, 1849), p. 266.

to the rest of the world, her voice will command respect, and the resolutions of that congress will with difficulty be contradicted.

But although all acknowledge these facts to be true, some believe that the formation of such a congress is a difficult task. And why? The justice and need of such a congress are well recognized and so this enterprise has the approval and the desire of all the States of America, and it must not be opposed by foreign States. We are bound together by ties of blood, language, relations, laws, customs, and religion; above all we are in urgent need of it, and this need will irresistibly lead us to its realization. The only thing lacking, in our judgment, is a voice authorized by the general consent of the people of some American State to call the rest in a solemn and dignified manner. And who will prevent the formation of this congress? No reason can be perceived that would justify foreign nations in opposing it, but, on the contrary, there is every reason in justice for them to support it, and many reasons of convenience. Would Spain oppose it? Aside from the fact that in doing so she would only make of Americans implacable enemies, losing everything thereby, it is natural that she should abide by what the other Powers consent. The present state of things, even without forming great forecasts, indicates that either Spain will be French if Napoleon's fortune is reestablished—and then all the free nations will insist on America's independence—or if the Allies prevail Spain will have a king or government imposed by them to increase the power of some of the reigning houses; and in this case few will consent to the Americas' giving colossal proportions to the power of that house. It is difficult and without precedent to believe in the face of Europe's ambition and of the loss it has suffered and of the weakened condition in which Spain would find herself if left alone, that they would generously restore to the Spanish States the free election of a government and rulers who would be unable to maintain themselves; and it would be even more difficult to believe that in this case some nation would graciously undertake the task of reconquering America, and that all the other nations would allow it to do so. Spain could never do it by herself.

But could the viceroys of Lima and Mexico prevent the formation of this congress? Let us consider the nature of the powers which these men have and the principles which they maintain. Their power is precarious, abusive, and without legal authority; any new contingency that may befall the Spanish Government must weaken

the influence of the viceroys and the foothold which Spain has in America. The people who support Spain's cause, after the trouble of fighting for a metropolis without knowing into whose hands it may fall, whose rulers have only an arbitrary authority which cannot and must not subsist, find themselves more exhausted and overthrown than the revolutionary people, to which it must be added that the moment is not far off when they will be tired of sustaining such hard and unsuccessful wars only to deprive themselves of their rights and to become slaves of an unknown master. Therefore, on the day when a congress is proclaimed where everything may be settled, and where they may indeed perceive the acquisition of their rights, it is very difficult to believe that the viceroys would be so unwise as to refuse the formation of the congress and it is almost impossible that the people of America would tolerate such iniquity. At least, it seems that nature and policy advise that this is the precise moment to break the chain. Finally, it being evident that the revolution of America can only be well organized through a congress, we must promote its formation with the assurance that our need will make it easy.

And what would be lost if this were not accomplished? A people which establishes as a principle its internal independence and which declares its external affairs only to be subject to a congress, and, when this is not the case, reconcentrated in it, leaves nothing in doubt; it secures whatever the present circumstances permit and leaves the road open to further consolidation in the future.

[Then follows a pompously-worded declaration whereby an attempt is made to justify independence, closing with the formulation of the following bases for a constitution, Article 3 of which was added in 1813 at the time of the reaction against the exaltations of the revolutionary spirit.]

ARTICLE 1. Whatever may be the state, change or circumstance of the Spanish nation either in Europe or in America, the people of Chile forms and directs perpetually its internal government under a just, liberal, and permanent Constitution.

ARTICLE 2. The people of Chile retains the right and exercise of all its foreign relations until by the formation of a general Congress of the nation or the greater part thereof, or at least of South America (if that of the nation is not possible), the general system of union and mutual security is established, in which case all the rights reserved in this article are transferred to the Congress.

ARTICLE 3. Ferdinand VII, or the physical or moral person whom Congress may designate, shall be recognized in Chile as the constitutional chief of the nation. The rights, privileges and prerogatives of this chief shall be declared by Congress, to whose general will Chile conforms from now on subject to the provisions of Article 1.

ARTICLE 4. Chile forms a nation with the Spanish States which may join or solemnly declare their desire to join the general Congress constituted on a free and equal basis.

ARTICLE 5. The Government of Chile will immediately notify the foregoing declarations to all the governments of the nation so that through their respective commissioners they may (if agreeable) decide upon the place, manner, and date and all other circumstances preliminary to the assembling of the general Congress, and their liberty and independence and absolute equality of representation in accordance with the free population of each State.

ARTICLE 6. The religion of Chile is the Roman Catholic.

ARTICLE 7. Any person, native of any of the dominions of the Spanish monarchy, taking the constitutional oath must be reputed a Chilean citizen, and by complying with all his duties as such citizen according to the Constitution, is entitled to hold any government office which does not require any other qualifications.

ANNEX II

THE "LETTER FROM JAMAICA" OF SIMÓN BOLÍVAR, SEPTEMBER 6, 1815¹

Europe itself, by reasons of wholesome policies, should have prepared and carried out the plan of American independence, not only because it is so required for the balance of the world, but because this is a legitimate and safe means of obtaining commercial posts on the other side of the ocean. . . .

I consider the actual state of America as when, after the collapse of the Roman Empire, each member constituted a political system in

¹ The following extracts from the Letter from Jamaica are taken from the work entitled *Simón Bolívar—Patriot, Warrior, Statesman, Father of Five Nations*, by Guillermo A. Sherwell (Washington, 1921), pp. 89-93.

The Spanish text of this letter may be found in J. F. Blanco, *Documentos para la historia de la vida pública del Libertador de Colombia, Perú y Bolivia, publicados por disposición del General Guzman Blanco* (Caracas, 1876), vol. 5, p. 331.

conformity with its interests and position, but with this great difference: that these scattered members reestablished the old nationalities with the alterations required by circumstances or events. But we, who scarcely keep a vestige of things of the past, and who, on the other hand, are not Indians nor Europeans, but a mixture of the legitimate owners of the country and the usurping Spaniards; in short, we, being Americans by birth and with rights equal to those of Europe, have to dispute these rights with the men of the country, and to maintain ourselves against the possession of the invaders. Thus, we find ourselves in the most extraordinary and complicated predicament. . . .

Americans, under the Spanish system now in vigor, have in society no other place than that of serfs fit for work, and, at the most, that of simple consumers; and even this is limited by absurd restrictions, such as prohibition of the cultivation of European products; the monopoly of certain goods in the hands of the king; the prevention of the establishment in America of factories not possessed by Spain; the exclusive privileges of trade, even regarding the necessities of life; the obstacles placed in the way of the American provinces so that they may not deal with each other, nor have understandings, nor trade. In short, do you want to know what was our lot? The fields, in which to cultivate indigo, cochineal, coffee, sugar cane, cocoa, cotton; the solitary plains, to breed cattle; the deserts, to hunt the wild beasts; the bosom of the earth, to extract gold, with which that avaricious country was never satisfied. . . .

We were never viceroys or governors except by very extraordinary reasons; archbishops and bishops, seldom; ambassadors, never; military men, only as subordinates; nobles, without privileges; lastly, we were neither magistrates nor financiers, and hardly merchants. All this we had to accept in direct opposition to our institutions.

The Americans have risen suddenly and without previous preparation and without previous knowledge and, what is more deplorable, without experience in public affairs, to assume in the world the eminent dignity of legislators, magistrates, administrators of the public treasury, diplomats, generals and all the supreme and subordinate authorities which form the hierarchy of an organized state. . . .

The events of the mainland have proved that perfectly representative institutions do not agree with our character, habits, and present state of enlightenment. . . . So long as our fellow citizens do not acquire the talents and the political virtues which distinguish our

brothers of the North, who have a system of government altogether popular in character, I am very much afraid these institutions might lead to our ruin instead of aiding us. . . .

I desire more than anybody else to see the formation in America of the greatest nation in the world, not so much as to its extension and wealth as to its glory and freedom. . . .

Monsignor de Pradt has wisely divided America into fifteen or seventeen independent states, ruled by as many monarchs. I agree on the first point, for America could be divided into seventeen countries. As for the second point, although it is easier to realize, it is less useful, and, consequently, I am not in favor of American monarchies. Here are my reasons: The real interests of a republic are circumscribed in the sphere of its conservation, prosperity and glory. Since freedom is not imperialistic, because it is opposed to empires, no impulse induces republicans to extend the limits of their country; injuring its own center, with only the object of giving their neighbors a liberal constitution. They do not acquire any right nor any advantage by conquering them, unless they reduce them to colonies, conquered territories or allies, following the example of Rome. . . . A state too large in itself, or together with its dependent territories, finally decays and its free form reverts to a tyrannical one, the principles which should conserve it relax, and at last it evolves into despotism. The characteristic of the small republics is permanency; that of the large ones is varied, but always tends to an empire. Almost all of the former have been of long duration; among the latter Rome alone lived for some centuries, but this was because the capital was a republic, and the rest of her dominions were not, for they governed themselves by different laws and constitutions.

How beautiful it would be if the Isthmus of Panamá should come to be to us what the Isthmus of Corinth was to the Greeks! May God grant that some day we may have the happiness of installing there an august congress of the representatives of the republics, kingdoms and empires, to discuss and study the high interests of peace and war with the nations of the other three parts of the world! This kind of cooperation may be established in some happy period of our regeneration. . . .

ANNEX III

NOTE OF GENERAL BOLÍVAR TO THE SUPREME DIRECTOR OF THE UNITED PROVINCES OF THE RIO DE LA PLATA, JUNE 12, 1817¹

When the triumphant arms of Venezuela complete its independence, or when more favorable circumstances permit more frequent communications and closer relations between us, we shall hasten with the keenest interest to consummate on our part the American pact, which, forming a political body of all our Republics, holds America up to the world with an aspect of majesty and greatness without parallel among the older nations. America, thus united, Heaven permitting, can call herself queen of the nations and mother of republics.

ANNEX IV

MESSAGE OF PRESIDENT JOHN QUINCY ADAMS TO THE HOUSE OF REPRESENTATIVES, MARCH 15, 1826²

The late President of the United States, in his message to Congress of the 2d December, 1823, while announcing the negotiation then pending with Russia, relating to the northwest coast of this continent, observed that the occasion of the discussions to which that incident had given rise had been taken for asserting as a principle in which the rights and interests of the United States were involved that the American continents, by the free and independent condition which they had assumed and maintained, were thenceforward not to be considered as subjects for future colonization by any European power. The principle had first been assumed in that negotiation with Russia. It rested upon a course of reasoning equally simple and conclusive. With the exception of the existing European colonies, which it was in nowise intended to disturb, the two continents consisted of several sovereign and independent nations, whose territories covered their whole surface. By this their independent condition the United States enjoyed the right of commercial intercourse with every

¹ Extract. J. F. Blanco, *Documentos para la historia de la vida pública del Libertador de Colombia, Perú y Bolivia*, publicados por disposición del General Guzman Blanco, vol. 5, p. 670.

² Extract. James D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1897*, vol. II, p. 334; as quoted in J. B. Moore, *A Digest of International Law*, vol. VI, p. 417.

part of their possessions. To attempt the establishment of a colony in those possessions would be to usurp to the exclusion of others a commercial intercourse which was the common possession of all. It could not be done without encroaching upon existing rights of the United States. The Government of Russia has never disputed these positions nor manifested the slightest dissatisfaction at their having been taken. Most of the new American Republics have declared their entire assent to them, and they now propose, among the subjects of consultation at Panama, to take into consideration the means of making effectual the assertion of that principle, as well as the means of resisting interference from abroad with the domestic concerns of the American Governments.

ANNEX V

RECEPTION BY COLOMBIA OF PRESIDENT MONROE'S MESSAGE TO CONGRESS OF DECEMBER 2, 1823, AND SUBSEQUENT CORRESPONDENCE THEREON BETWEEN COLOMBIA AND THE UNITED STATES ¹

Article in La Gaceta de Colombia, February 1, 1824 ²

The United States has now begun to play among the civilized nations of the world that powerful and majestic rôle which befits the oldest and most powerful nation of our hemisphere. We deeply regret our inability to publish all of the message of the president to congress of December 2, for it is one of the most interesting documents which has emanated from the American government up to this time. It abounds in those suggestions and details which every free government ought to furnish its citizens in order that they may judge in regard to the interests of the nation with the proper exactness and discernment. How different is this frank and loyal mode of procedure from that horrid system which finds its stability in the

¹ The texts of the following documents and extracts from documents showing the reception accorded by Colombia to the declaration of the Monroe Doctrine, and from the official correspondence of 1824 between Colombia and the United States relative to its interpretation and application, are taken from the article by William S. Robertson, *South America and the Monroe Doctrine, 1824-1828*, in *Political Science Quarterly*, vol. xxx, number 1, March, 1915, pp. 83-92.

² Mr. Robertson states that this article "may have been written by Vice President Santander."

secrets of the cabinet and in ministerial manœuvres. The enemies of liberty may take pleasure in the triumphs of that system on the European side of the Atlantic where its favorite principle of legitimacy has numerous partisans. In this favored continent there are no classes interested in perpetuating the ignorance of the people so that they may thrive upon prejudice and stupidity. In America man is only the slave of the law, while in a large part of the Old World people still believe and obstinately maintain that kings are an emanation of divinity.

The partisans of this impious doctrine defend it rather because of self-interest than because of conviction. But, as they find some credulous persons and some persons who are victims of their own voluntary errors, they find support in them for their system of pretended legitimacy. Well and good, let the supporters of legitimacy extend their senseless system over that continent which, because of its enlightenment, is worthy of a better fate. If they wish, let them reduce to ashes the Swiss cantons, which rebelled against the august House of Hapsburg and established their independence by their own efforts. Let them take the throne of the Low Countries away from the House of Orange which today enjoys the fruit of its religious and political rebellion against the Catholic kings. Let them punish, if they are able, the thousandth generation in these and other countries of Europe for the sins of their ancestors against legitimacy. Their rage will ever be impotent on this side of the Atlantic. America is separated from those less fortunate regions by a vast ocean in which there will be drowned forever the hopes of those who imagine that we have not yet emerged from the darkness of the fifteenth century.

The perusal of the message which we have before us has consequently furnished us much pleasure, for the president of the United States has profited by the opportunity afforded by the differences pending with Russia to assert that the American continent is now so free and independent that henceforth it cannot be made the theater of colonization by any European power. Indeed the Americans of the North and of the South of this continent shall not again behold in their lands those hordes of foreigners, who, with the cross in one hand and a dagger in the other, would disturb the happiness and the peace which they today enjoy.

*Mr. Anderson, Minister of the United States to Colombia, to Mr. John Quincy Adams, Secretary of State, February 7, 1824*¹

Much of that solicitude, to which I have recently referred in my letters to you, in relation to the public affairs of this country as connected with the designs of certain European powers, is still felt by the persons in authority here and indeed by others; but great and I believe unaffected joy was expressed on the arrival of the President's message, at the views therein communicated to Congress, regarding the feelings and policy of the United States in the event of European interference in the political affairs of this continent. Some declared that it would have the salutary effect of repressing the designs and averting the calamity so much deprecated, while others less sanguine in their opinion of its preventative tendencies, seemed to derive their joy from the contemplation of the actual aid which the course indicated might give in the expected contingency; but all declared that the views assume the true American ground.

From the conversations, which I have hitherto detailed to you, between the secretary of foreign affairs and myself, you will readily believe that the language and sentiments of the message were very acceptable to him, and he took occasion in a recent conversation to tell me, that they were peculiarly grateful to the vice president.

*Message of Vice President Santander of Colombia to Congress, April 6, 1824*²

The president of the United States has lately made his administration memorable by an act eminently just—an act worthy of the classic land of liberty. In his last message to congress he has declared that he will consider every act of intervention of any European power which aims to interfere with the destinies of the independent governments of America as a manifestation of a hostile disposition towards the United States. That government will consider any attempt on the part of the Holy Alliance to extend its system to any portion of the American hemisphere as perilous to the peace and safety of the new states. Such a policy, consolatory to the human race, might secure to Colombia a powerful ally in case her independence and liberty should be menaced by the allied powers. The executive of Colombia cannot remain indifferent to the advance thus made in the policy of

¹ Extract. State Department MS.

² Extract. *La Gaceta Extraordinaria de Colombia*, 27 de abril de 1824. A translation of this message is found in *British and Foreign State Papers*, vol. 11, p. 808.

the United States: he is actively engaged in determining the scope and intent of this policy.

*Mr. Salazar, Minister of Colombia to the United States, to Secretary Adams, July 2, 1824*¹

My government has received with the greatest pleasure the message of the president of the United States, a work very worthy of its author, which expresses the public sentiment of the people over whom he presides. By virtue of this document it cannot be doubted that the government of the United States has undertaken to oppose the policy and the ulterior designs of the Holy Alliance. To judge by the sentiments of the English people, some acts of the English ministry, and the language of the English envoys at Bogotá, this appears to be also the decision of Great Britain.

In such circumstances the government of Colombia desires to know in what manner the government of the United States intends to resist any interference of the Holy Alliance for the purpose of subjugating the new republics or of interfering with their form of government: Colombia desires to know if the United States will enter into a treaty of alliance with her to save America from the calamities of a despotic system; and finally, Colombia desires to know if the government of Washington interprets foreign intervention to mean the employment of Spanish forces against America at a juncture when Spain is occupied by a French army, and when the government of Spain is under the influence of France and her Allies.

It appears that affairs are already in the condition depicted in the declaration of President Monroe, for it is generally asserted that an expedition composed of the ship "Asia" and of several frigates and brigs has sailed from Cadiz for the coasts of Peru. It is beyond doubt that Spain alone does not equip this expedition in her present condition of despotism and anarchy, without an army, without a navy, and without money. Notwithstanding her spirit of domination, that nation would ere now have decided for peace had she not been aided to wage war.

In the name of my government, therefore, and relying on the sympathy of the United States, I request these explanations which may serve Colombia for guidance in her policy and in her system of defense.

¹ Extract. State Department MS.

*Secretary Adams to Mr. Salazar, August 6, 1824*¹

With respect to the question "in what manner the Government of the United States intends to resist on its part any interference of the Holy Alliance for the purpose of subjugating the new Republics or interfering in their political forms," you understand that by the constitution of the United States, the ultimate decision of this question belongs to the Legislative Department of the Government. The probability of such interference of the Holy Alliance having in a great measure disappeared, the occasion for recurring to the dispositions of the Legislature did not occur during the late Session of Congress.

The Sentiments of the president remain as they were expressed in his last annual message to Congress. Should the crisis which appeared then to be approaching, and which gave rise to the remarks then made, hereafter recur, he will be ready to give them effect by recommending to the Legislature the adoption of the measures exclusively of their resort, and by which the principles asserted by him, would with the concurrence if given, be on the part of the United States, efficaciously maintained.

As however the occasion for this resort could arise only by a deliberate and concerted system of the Allied Powers to exercise force against the freedom and Independence of your Republic; so it is obvious that the United States could not undertake resistance to them by force of Arms, without a previous understanding with those European Powers, whose Interests and whose principles would secure from them an active and efficient coöperation in the cause. This there is no reason to doubt could be obtained, but it could only be effected by a negotiation preliminary to that of any alliance between the United States and the Colombian republic, or in any event coeval with it.

The employment of Spanish force in America, while Spain is occupied by a French army and its Government under the influence of France and her allies, does not constitute a case upon which the United States would feel themselves justified in departing from the neutrality which they have hitherto observed—the force itself being necessarily small; and in no wise changing the nature of the contest in the American Hemisphere.

¹ Extract. State Department MS.

ANNEX VI

CORRESPONDENCE OF 1824-1825 BETWEEN BRAZIL AND THE UNITED STATES BEARING ON PRESIDENT MONROE'S MESSAGE OF DECEMBER 2, 1823 ¹

Instructions of Mr. Carvalho E. Mello, Minister of Foreign Affairs of Brazil, to Mr. Rebello, Chargé d'Affaires of Brazil in the United States, January 31, 1824 ²

Thus, if the United States of America, for reasons of national interest ought to recognize the Independence of the Empire of Brazil, as has been proved, so much more ought that to be looked for from this great Nation, when it is considered that those very interests are in accordance with the principles of its Government and of its policy.

Such are the principles of the policy of those States, which alone were sufficient to hasten to our recognition, principles which in the Message of the President to both Houses in December last assumed a more generic application to all the States of this Continent, since in that Message the necessity of our combining and standing shoulder to shoulder for the defence of our rights and of our territory is clearly pointed out. . . .

You will sound the Government as to its attitude toward an offensive and defensive alliance with this Empire as a part of the American Continent, on the supposition that such alliance should not be based on any mutual concessions, but only on the general principle of the mutual benefits arising from such alliance.

Mr. Rebello to Secretary Adams, January 28, 1825 ²

The Government of Brazil being convinced that the declaration made by the Government of the United States in the Message of His Excellency the President at the First Session of the 18th Congress is effective, and it having been said in it, with regard to those American countries which had declared their Independence and maintained it, and whose Independence had been recognized by the Government as founded on reasonable bases and on the principles of justice, that this Government would not allow any interference for the purpose of

¹ The texts of the documents here printed are taken from an article reprinted from the *Jornal do Commercio* of Rio de Janeiro of January 20, 1908, entitled *Brazil, the United States and the Monroe Doctrine*, pp. 8-15. The article is generally attributed to Baron Rio Branco, the Foreign Minister of Brazil. See also in connection herewith, Robertson, *South America and the Monroe Doctrine*, loc. cit., pp. 92-97.

² Extract.

oppressing or limiting in any way whatsoever the destinies of those countries on the part of any European Power, but that such interference would be looked upon by the Government of the United States as an unfriendly act; and considering that, while it is to be hoped that the said European Powers, enlightened by the true ideas which all Governments ought to have as to the justice and principles on which Brazil founded her Independence, will not interfere in the question which she has with Portugal, it is at the same time human to err, and the Governments are human, and it is possible therefore that some of the said Governments might desire to help exhausted Portugal to recolonize Brazil, for which the latter has but little desire; and considering that in such an event the United States would be bound to put into practice the policy laid down in the said Message, giving proofs of the generosity and justice which animates her, which could not be done without sacrifice of life and treasure; and it not being in accordance with reason, justice and right that the Government of Brazil should accept such sacrifices gratuitously: that Government is ready to enter into a Convention with the Government of the United States, the object of which will be the preservation of the Independence of Brazil in the case of any Power aiding Portugal in its vain and chimerical projects for the recolonization of Brazil.

The same reason which moves the Government of Brazil to hope that the Government of the United States will propose the conditions for the said Convention permits it also to hope that the Government of the United States will also offer conditions for entering into an offensive and defensive alliance with the Government of Brazil.

Secretary Clay to Mr. Rebello, April 13, 1825

SIR: I have the honor to acknowledge the receipt at this Department of your two notes, the one under date the 28th January, and the other the 6th day of April, 1825. The delay, in transmitting an answer to the former, has arisen from arrangements incident to the formation of a new Administration, and not from any insensibility to the important propositions which it announces, or disrespect to the Government of Brazil, or its respectable Representative here. To those propositions, the President has given the most attentive consideration. They are, first, that the United States shall enter into a Convention with your Government to maintain its independence, in the event of Portugal being assisted by any foreign power to re-establish its former sway, and secondly, that a Treaty of Alliance

and defense be formed between the United States and the Government of Brazil to expel the arms of Portugal from any portion of the Brazilian Territory of which they might happen, in the progress of the War, to take possession.

The President of the United States adheres to the principles of his predecessor, as set forth in his message of the 7th December, 1823, to the American Congress. But with respect to your first proposition, as there does not appear, at present, any likelihood of Portugal being able to draw to her aid other Powers to assist her in resubjugating the Brazils, there would not seem to be any occasion for a convention founded upon that improbable contingency. The President, on the contrary, sees with satisfaction that there is a reasonable probability of a speedy peace between Portugal and the Government of Brazil, founded upon that Independence of it, which the United States were the first to acknowledge. In declining, therefore, to enter into the proposed convention, you will be pleased to assure your Government that the determination of the President does not proceed from any abatement of the interest which the United States have constantly felt in the establishment of the Independence of Brazil, but is dictated solely by the want of those circumstances which would appear to be necessary to justify the formation of such a Convention. If in the progress of events there should be a renewal of demonstrations, on the part of the European allies to attack the Independence of the American States, the President will give to that new state of things, should it arise, every consideration, which its importance would undoubtedly demand.

With respect to your second proposition of a Treaty of Alliance offensive and defensive to repel any invasion of the Brazilian Territories by the forces of Portugal, if the expected peace should take place, that also would be unnecessary. But such a Treaty would be inconsistent with the policy which the United States have heretofore prescribed to themselves. That policy is, that whilst the war is confined to the parent country and its former Colony, the United States remain neutral, extending their friendship and doing equal justice to both parties. From that policy they did not deviate during the whole of the long contest between Spain and the several Independent Governments which have been erected on her former American Territories. If an exception to it were now for the first time made, the justice of your Sovereign will admit that the other new Governments might have some cause to complain of the United States.

Whilst I regret that these considerations of policy which the United States feel themselves bound to respect, will not allow them to enter at this time into either of the two compacts suggested by you, I have much satisfaction in concurring with you in the expediency of permanently uniting our two Nations in the ties of Friendship, Peace, and Commerce. With that view I am instructed to say to you, that the United States are disposed to conclude a Treaty of Peace, Amity, Navigation and Commerce with the Government of Brazil, and that they are willing to adopt, as the basis of the mutual regulations of the Commerce and Navigation of the two countries, a principle of equity and perfect reciprocity. If you should be empowered to negotiate such a Treaty, I shall take great pleasure in entering upon the discussion and consideration of its terms at such time as may be mutually convenient.

I pray you, Sir, to accept the assurances of my distinguished consideration.

(Signed) H. CLAY.

ANNEX VII

MESSAGE OF THE EXECUTIVE GOVERNMENT OF BUENOS AYRES, ON THE OPENING OF THE LEGISLATIVE ASSEMBLY, BUENOS AYRES, MAY 3, 1824 ¹

Peace has been maintained with the Nations of the Continent; and every true American heart has been filled with satisfaction at the Reception in our City of the first Minister Plenipotentiary of the Republic of The United States; an Honour which has been returned by our Appointment of a Minister of corresponding Rank, who has already departed for Washington. He has been instructed to suggest to the Government of that Republic, how desirable it would be, if, in addition to those two great Principles, *viz.*, That of the Abolition of Piratical Warfare, and that of the Non-European Colonization of American Territory, it could also be declared, that none of the new Governments of this Continent shall alter by force their respective Boundaries as recognized at the time of their emancipation. Thus may be destroyed the germ of future dissensions which, springing

¹ Extract. *British and Foreign State Papers*, vol. II, p. 803. This message is signed by Bernardino Rivadavia and Manuel J. Garcia.

up amongst new States, might have a fatal influence upon their Civilization and manners.

ANNEX VIII

LETTER OF MR. CLAY, SECRETARY OF STATE, TO MR. FORBES,
CHARGÉ D'AFFAIRES OF THE UNITED STATES AT BUENOS
AIRES, JANUARY 3, 1828 ¹

Although there is every reason to believe that the policy which it [the message of Monroe] announced was in conformity with the opinion both of the nation and of Congress, the declaration must be regarded as having been voluntarily made, and not as conveying any pledge or obligation, the performance of which foreign nations have a right to demand. When the case shall arrive, if it should ever occur, of such an European interference as the message supposes, and it becomes consequently necessary to decide whether this country will or will not engage in war, Congress alone, you well know, is competent by our Constitution, to decide that question. In the event of such an interference, there can be but little doubt that the sentiment contained in President Monroe's message would still be that of the People and Government of the United States. . . .

It may then be confidently affirmed that there is no longer any danger whatever of the contingency happening, which is supposed by Mr. Monroe's message, of such an interference, on the part of Europe, with the concerns of America as would make it expedient for the Government of the United States to interpose.

In respect to the war which has unhappily been raging between the Argentine Republic, and the Emperor of Brazil, the President has seen it with great regret, and would be very glad to hear of its honorable conclusion. But that war cannot be conceived as presenting a state of things bearing the remotest analogy to the case which President Monroe's message deprecates. It is a war strictly American in its origin and its object. It is a war in which the Allies of Europe have taken no part. Even if Portugal and the Brazils had remained united, and the war had been carried on by their

¹ Extract as printed in Robertson, *South America and the Monroe Doctrine*, loc. cit., p. 103. For the antecedents of the recognition of the Monroe Doctrine by the United Provinces of the Rio de La Plata, see Robertson, *ibid.*, pp. 97-105. See also J. B. Moore, *A Digest of International Law*, vol. vi, p. 434.

joint arms, against the Argentine Republic, that would have been far from presenting the case which the message contemplated. But, by the death of the late king of Portugal, there has been a virtual separation between the Brazils and Portugal, and during the greater part, if not the whole of the period of the war, the condition of Portugal has been such as to need succor, rather than be capable of affording it to the Brazils.

The general policy of the United States is that of strict and impartial neutrality in reference to all wars of other Powers. It would only be in an extreme case that they would deviate from that policy. Such a case is not presented by the present war.

ANNEX IX

GENERAL INSTRUCTIONS OF MR. CLAY, SECRETARY OF STATE, TO MR. POINSETT, MINISTER OF THE UNITED STATES TO MEXICO, MARCH 25, 1825¹

You will bring to the notice of the Mexican Government the message of the late President of the United States to their Congress on the 2d of December, 1823, asserting certain important principles of intercontinental law in the relations of Europe and America. The first principle asserted in that message is, that the American continents are not henceforth to be considered as subjects for future colonization by any European powers. In the maintenance of that principle all the independent Governments of America have an interest, but that of the United States has probably the least. Whatever foundation may have existed three centuries ago, or even at a later period, when all this continent was under European subjection, for the establishment of a rule, founded on priority of discovery and occupation, for apportioning among the Powers of Europe parts of this continent, none can now be admitted as applicable to its present condition. There is no disposition to disturb the colonial possessions, as they may now exist, of any of the European Powers, but it is against the establishment of new European colonies upon this continent that the principle is directed. The countries in which

¹ Extract. *American State Papers, Foreign Relations*, vol. vi, pp. 579-80; *British and Foreign State Papers*, vol. 13, pp. 487-88; J. B. Moore, *A Digest of International Law*, vol. vi, pp. 415, 477.

any such new establishments might be attempted are now open to the enterprise and commerce of all Americans; and the justice or propriety cannot be recognized of arbitrarily limiting and circumscribing that enterprise and commerce by the act of voluntarily planting a new colony, without the consent of America, under the auspices of foreign Powers belonging to another and a distant continent. Europe would be indignant at any American attempt to plant a colony on any part of her shores; and her justice must perceive, in the rule contended for, only perfect reciprocity.

The other principle asserted in the message is, that, whilst we do not desire to interfere in Europe with the political system of the allied Powers, we should regard as dangerous to our peace and safety any attempt on their part to extend their system to any portion of this hemisphere. The political systems of the two continents are essentially different. Each has an exclusive right to judge for itself what is best suited to its own condition and most likely to promote its happiness, but neither has a right to enforce upon the other the establishment of its own peculiar system. This principle was declared in the face of the world at a moment when there was reason to apprehend that the allied Powers were entertaining designs inimical to the freedom, if not the independence, of the new Governments. There is ground for believing that the declaration of it had considerable effect in preventing the maturity, if not in producing the abandonment, of all such designs. Both principles were laid down after much anxious deliberation on the part of the late administration. The President, who then formed a part of it, continues entirely to coincide in both; and you will urge upon the Government of Mexico the utility and expediency of asserting the same principles on all proper occasions.

ANNEX X

REPORT OF MR. CLAY, SECRETARY OF STATE, TO PRESIDENT ADAMS,
MARCH 29, 1826 ¹

The United States have contracted no engagement, nor made any pledge to the Governments of Mexico and South America, or to

¹ Extract. J. B. Moore, *A Digest of International Law*, vol. VI, p. 408; *British and Foreign State Papers*, vol. 13, p. 484.

either of them, that the United States would not permit the interference of any foreign powers, with the independence or form of government of those nations: nor have any instructions been issued, authorizing any such engagement or pledge. It will be seen that the message of the late President of the United States of the 2nd December, 1823, is adverted to in the extracts now furnished from the instructions to Mr. Poinsett, and that he is directed to impress its principles upon the Government of the United Mexican States.

All apprehensions of the danger, to which Mr. Monroe alludes, of an interference, by the allied powers of Europe, to introduce their political systems into this hemisphere, have ceased. If, indeed, an attempt by force had been made, by allied Europe, to subvert the liberties of the southern nations on this continent, and to erect, upon the ruins of their free institutions, monarchical systems, the people of the United States would have stood pledged, in the opinion of their Executive, not to any foreign state, but to themselves and to their posterity, by their dearest interests, and highest duties, to resist, to the utmost, such attempt; and it is to a pledge of that character that Mr. Poinsett alone refers.

ANNEX XI

SPEECH OF PRESIDENT GUADALUPE VICTORIA OF MEXICO ON THE CLOSING OF THE GENERAL CONGRESS, MAY 23, 1826 ¹

An Official Document, which has very recently been published, has thrown considerable light upon the policy of the Cabinet at Washington, with regard to the Struggle in which a large portion of America is involved. The memorable promise of the President Monroe, contained in his Message of the 2nd of December 1823, is disclaimed by the present Government of The United States, which has publicly declared "that they have contracted no Engagement, nor made any Pledges to the Governments of Mexico, and South America, or to either of them, that The United States would not permit the interference of any Foreign Powers, with the Independence, or Form of Government, of those Nations."

It is, indeed, true, that Mr. Clay, Secretary of State, and Author

¹ Extract. *British and Foreign State Papers*, vol. 13, p. 1082.

of the Note, appeals to the sympathy of the People of The United States, and to their community of interests with the New Republics: but it is no less true, that we have no longer any sort of Guarantee, or Promise, on the part of that Government, to take a part in the Contest, if a Third Power should become an Auxiliary of Spain.

ANNEX XII

CREDENTIAL OF THE ENVOY OF BUENOS AIRES TO THE CONGRESS OF SANTIAGO DE CHILE ¹

The provincial board of the provinces of the Rio de La Plata, in the name of His Majesty, don Fernando VII:

Whereas the general interest of America demands that fraternally united, all their people shall concentrate themselves and persevere firmly in the just endeavor of keeping this part of the monarchy free from the risks to which the impending ruin of Spain must of necessity expose it; and whereas the criminal complot of some employees and chieftains who, preferring the absolute security of their employments to all other resolution likely to insure to the people the full enjoyment of their rights, assail public opinion in one thousand ways endeavoring to hinder or block every manifestation of the general will, which is the only one which today can provide a status of legitimate authority which shall take the place of the absent monarch. Now, therefore, in order to attain in the Kingdom of Chile a frank and sincere communication which shall lay open the true principles and purposes sought by the creation of this board, and, destroying the calumnies which have besmeared its loyalty, shall facilitate and hasten the close union which nature and the most sacred relations invite both people to effect, the board has appointed as its commissioner, with all the powers and representation belonging thereto, don Antonio Alvarez de Jonte, a member of the bar of this Royal Audiencia, directing him to go to the said Kingdom of Chile, approach the illustrious municipal council of the said capital, and conferring with the gentlemen who compose it, tell them the true state of the monarchy and of our business, asking them in the name of the King and of the fatherland to

¹ José Santos Valenzuela, *Historia jeneral de la República de Chile desde su independencia hasta nuestros días* (Santiago de Chile, 1866), vol. I, p. 256.

take such legal measures, based on the general consent of the Kingdom, as shall be best calculated to free the latter from the convulsions and bondage to which it shall be exposed at the critical moment of the total loss of Spain. For all of which this order was caused to be issued under the authority of the board, countersigned by its secretary and sealed with the seal of the royal arms. Given at Buenos Aires, on this 18th day of September, 1810.

ANNEX XIII

MANIFESTO OF THE EXECUTIVE, BERNARDO O'HIGGINS, TO THE
PEOPLE WHO FORM THE STATE OF CHILE, SANTIAGO,
MAY 5, 1818¹

It is true, that the Battle of the 5th of April has made a breach in the exclusive system, which erected such a barrier between us and the Ports of Lima; but it is necessary to make new and mutual efforts to remove all obstacles. Lima cannot long be withheld from the general destinies to which America yields; and its principles must accord with those proclaimed by Chile and the United Provinces; the simultaneous operations of our Forces, and ascendancy of public opinion in Upper Peru, will determine whether it be possible to form, on the American Continent, a Grand Confederation, capable of irrevocably sustaining its civil and political liberty, whatever be the form of the Government that may be established in the Confederated States. The formal Declaration which was published by the United Provinces on the 9th of July, 1816, and that which we ourselves published on the 12th of February last, will soon be loudly repeated in the Capital of Peru; and these Acts will henceforth mark the period at which was commenced the breaking of the chain which bound America to the Potentates of Europe, who were accustomed to look upon it as the exclusive property of the smallest quarter of the globe. The United States set the first example, which lives, and which it is impossible to destroy; Brazil, although following different principles, has also ceased to belong to Europe, and is now the second power of America; the times cannot retrograde; the universal opinion of men has, practically, fixed the distinction between authority and despotism,

¹ Extract. *British and Foreign State Papers*, vol. 6, p. 838.

between obedience and slavery, between liberty and licentiousness. The examples which have shone forth in sight of the Despots, and the experience of the evils which have afflicted Europe, of late years, are beacons that will warn the People, hereafter, to shun the brilliant theories of anarchists.

ANNEX XIV

TREATY OF PERPETUAL UNION, LEAGUE, AND CONFEDERATION,
BETWEEN COLOMBIA AND CHILI, SIGNED AT SANTIAGO
DE CHILI, OCTOBER 21, 1822 ¹

The Government of the Republic of Colombia on the one hand, and that of the State of Chili on the other, animated with the most sincere desire of speedily terminating the calamities of the present war, into which they have been provoked by the Government of His Catholic Majesty the King of Spain; and desiring to co-operate effectually in this important object, with all their influence, resources, and Forces by Sea and Land, until the precious enjoyment of their internal tranquillity, their Liberty and National Independence, be secured for ever to their respective People, Subjects, and Citizens: and His Excellency the Liberator and President of Colombia, having, with this view, conferred Full Powers on the Honorable Joaquin Mosquera y Arboleda, Member of the Senate of the above-named Republic; and His Excellency the Supreme Director of the State of Chili, on His Ministers of State, Dr. D. Joaquin Echeverria, having the Departments of Government and Foreign Affairs; and Dr. D. Jose Antonio Rodriguez, those of Finance and War; the said Plenipotentiaries having exchanged their respective Powers, found in good and due form, have agreed on the following Articles: . . .

13. Both Parties engage to interpose their good offices with the other States of America, formerly belonging to Spain, to induce them to enter into this Treaty of Union, League, and Confederation.

14. As soon as this grand and important object shall be attained, there shall be assembled a general Meeting of the American States, composed of their respective Plenipotentiaries, instructed to cement, in the most solid and lasting manner, the intimate relations which ought to subsist between all and each of them; and that may serve

¹ Extract. *British and Foreign State Papers*, vol. 11, p. 214.

them as counsel in great emergencies; as a point of union in cases of common danger; as a faithful interpreter of their public Treaties when difficulties arise; and as a judicial reference and mediator in their disputes and differences.

15. The Republic of Colombia, and the State of Chili, willingly bind themselves to afford to the Plenipotentiaries composing the American States, all the aid required by hospitality between friendly Countries, and by the sacred and inviolable character of their persons, if the said Plenipotentiaries should choose to meet on any point of the Territory of Colombia or Chili.

ANNEX XV

ADDITIONAL TREATY OF PERPETUAL UNION, LEAGUE, AND CONFEDERATION, BETWEEN COLOMBIA AND PERU, SIGNED AT LIMA, JULY 6, 1822 ¹

The Government of the Republic of Colombia on one part, and the State of Peru on the other, animated with the most sincere desire of terminating the calamities of the present war, into which they have been provoked by the Government of His Most Catholick Majesty the King of Spain, and resolved to employ all their resources, and Forces by sea and land, effectually to sustain their Liberty and Independence: and desirous that this League be general throughout all the States of America formerly belonging to Spain; in order that they may, thus strongly and firmly united, sustain in common, the cause of Independence, which is the primary object of the present Contest: have named Plenipotentiaries in order to discuss, arrange, and conclude a Treaty of Union, League, and Confederation: . . . and the said Plenipotentiaries having exchanged their respective Full Powers, and found them to be in good and due form, have agreed on the following Articles:

1. In order to draw closer the bonds which should in future unite both States, and to remove any difficulties which may arise and in any way interrupt their harmony and good understanding, a meeting shall be held, composed of two Plenipotentiaries on each side, in like manner, and with the same formalities as are observed according to established usage in the nomination of Ministers of similar rank to the Governments of Foreign Powers.

¹ Extract. *British and Foreign State Papers*, vol. 11, p. 115.

2. Both Parties oblige themselves to interpose their good offices with the other States of America, formerly belonging to Spain, to induce them to enter into this Treaty of perpetual Union, League, and Confederation.

3. As soon as this grand and important object shall be attained, there shall be assembled a general Meeting of the American States, composed of their respective Plenipotentiaries, instructed to lay the most solid foundation for, and to establish the intimate Relations which ought to subsist between all and each of them; and that may serve them as counsel in great emergencies, as a point of union in cases of common danger, as a faithful interpreter of their public Treaties should difficulties arise, and as a judicial reference and mediator in their disputes and differences.

4. The Isthmus of Panama being an integral part of the Republic of Colombia, and the best adapted for this august Meeting, this Republic pledges itself cheerfully to furnish all the aid which hospitality demands among friendly Nations, and to observe a sacred and inviolable regard towards the Persons of the Plenipotentiaries who may there form the Assembly of the American States.

5. The State of Peru binds itself to the like obligation, should the events of the War, or the will of the majority of the American States, cause the before-named Meeting to be held in its Territories, in the same manner that the Republic of Colombia has engaged to do by the preceding Article; as well with regard to the Isthmus of Panama, as to any other part of its jurisdiction, which, on account of its central position between the Northern and Southern States of America formerly belonging to Spain, may be deemed convenient for this most important purpose.

ANNEX XVI

TREATY OF FRIENDSHIP AND ALLIANCE BETWEEN THE REPUBLIC OF COLOMBIA AND THE STATE OF BUENOS AYRES, SIGNED AT BUENOS AYRES, MARCH 8, 1823 ¹

The Government of the State of Buenos Ayres having recognized, and caused to be recognized, in virtue of Credentials presented and properly authenticated, as Envoy Extraordinary and Minister Plenipotentiary from the Republic of Colombia, the Honourable

¹ Extract. *British and Foreign State Papers*, vol. 11, p. 310.

Joaquin Mosquera y Arboleda, Member of the Senate of the said Republic, the latter, in the presence of Don Bernardino Rivadavia, Minister of Foreign Affairs, communicated the wishes of his Government: and both having conferred and mutually explained themselves on all points conducive to the better regulation of the Relations between the said States, in virtue of the Full Powers with which they are invested, agreed upon and settled definitively the Treaty composed of the following Articles:

1. The Republic of Colombia, and the State of Buenos Ayres ratify, in a solemn manner and for ever, by the present Treaty, the friendship and good understanding which has naturally subsisted between Them, on account of the identity of their principles and the similarity of their interests.

2. A perfect reciprocity between the Governments and Citizens of both States shall regulate the friendly Relations which the foregoing Article establishes.

3. The Republic of Colombia and the State of Buenos Ayres contract for ever a Defensive Alliance, in support of their independence of the Spanish Nation, and of any other Foreign Domination.

4. Everything relative to this Alliance shall be regulated by an Especial Treaty, conformably to the circumstances and resources of the Two States.

ANNEX XVII

TREATY OF PERPETUAL UNION, LEAGUE AND CONFEDERATION, BETWEEN COLOMBIA AND MEXICO, SIGNED AT MEXICO, OCTOBER 3, 1823¹

The Government of the Republic of Colombia on the one hand, and that of the Mexican Nation on the other, animated with the sincerest desire of terminating the calamities of the present War, into which they have been provoked by the Government of His Catholic Majesty The King of Spain; decided on availing themselves of all their Resources and Land and Sea Forces, effectually to sustain their liberty and independence; and desirous that this League should be general, between all the States of what was formerly Spanish America; in order that, united, strong and powerful, they may sustain

¹ Extract. *British and Foreign State Papers*, vol. 11, p. 784.

in common, the cause of their independence, which is the primary object of the present Conflict; have named Plenipotentiaries to discuss, regulate, and conclude a Treaty of Union, League, and Confederation; namely, His Excellency the Liberator, President of Colombia, The Hon. Miguel Santa Maria, Minister Plenipotentiary, and Envoy Extraordinary from that Republic to the Government of Mexico; and the Supreme Governor of the Mexican Nation, His Excellency Don Lucas Alaman, Secretary *ad interim*, of Foreign and Interior Affairs; who, after having exchanged their respective Full Powers, found in good and due form, have agreed on the following Articles: . . .

12. Both Parties engage to interpose their good offices with the other States of America, formerly belonging to Spain, to induce them to enter into this Treaty of perpetual Union, League, and Confederation.

13. As soon as this grand and important object shall be attained, a General Meeting of the American States shall be assembled, composed of their respective Plenipotentiaries charged with the task of uniting them in the most solid manner, and establishing those intimate relations which ought to subsist between all and every one of them, and that may serve them for counsel in great difficulties, as a point of union in cases of common danger, and as a faithful source for interpreting their public Treaties, should difficulties arise, and for conciliation in their disputes and differences.

14. The Isthmus of Panama being an integral part of the Republic of Colombia, and the best adapted for this august Assembly, that Republic pledges itself cheerfully to furnish all the aid which hospitality demands among friendly Powers, and to observe a sacred and inviolable regard towards the Persons of the Plenipotentiaries who may there form the Assembly of the American States.

15. The Mexican Nation binds itself to the like obligation, should the events of the war, or the will of the majority of the American States, cause the before-mentioned Assembly to be held in its Territories, in like terms as the Republic of Colombia is bound by the preceding Article, as well with regard to the Isthmus of Panama, as to any other part of its jurisdiction, which on account of its central position between the Northern and Southern States of America, formerly belonging to Spain, may be deemed convenient for this most interesting purpose.

ANNEX XVIII

TREATY OF PERPETUAL UNION, LEAGUE, AND CONFEDERATION,
BETWEEN COLOMBIA AND THE UNITED PROVINCES OF CENTRAL
AMERICA, SIGNED AT BOGOTA, MARCH 15, 1825 ¹

The Republic of Colombia and The United Provinces of the Centre of America, being animated by the most sincere desire of putting a speedy termination to the calamities of the present war, in which they are engaged with the Government of H. C. M. the King of Spain, and both Contracting Powers being disposed to unite all their resources, and all their Forces both by Sea and Land, and to identify their principles and interests both in Peace and War, have resolved to enter into a Convention of perpetual Union, League, and Confederation, which may assure to them for ever the advantages of their liberty and independence.

With this laudable object, the Vice-President charged with the Executive Power of the Republic of Colombia, has conferred Full Powers on Pedro Gual, Secretary of State for the Foreign Affairs of the same; and the Supreme Executive Power of The United States of the Centre of America, to Dr. Pedro Molina, their Envoy Extraordinary and Minister Plenipotentiary to the Government of the said Republic, who, having exchanged their respective Full Powers, have agreed to the following Articles: . . .

XVI. Both Parties agree to interpose their good offices to induce the Governments of the other States of America, formerly Spanish, to enter into this Compact of perpetual Union, League, and Confederation.

XVII. As soon as this important object shall have been attained, a General Assembly shall meet, composed of the Plenipotentiaries of the American States, whose functions it shall be to cement in the most solid and stable manner the intimate relations which ought to subsist between each and all of them—to assist by their counsel in all great emergencies—to form a point of support in all common dangers—to be faithful interpreters of their public Treaties, whenever difficulties arise respecting them—and to become arbiters and conciliators in all their disputes and differences. . . .

XIX. The Isthmus of Panama being an integral part of Colombia, and the most convenient spot for the meeting of this August Assembly,

¹ Extract. *British and Foreign State Papers*, vol. 12, p. 802.

that Republic cordially promises to afford to the Plenipotentiaries of whom it may be composed, all the good offices demanded by hospitality between fraternal Nations, and by the sacred and inviolable character of their persons.

XX. The United Provinces of the Centre of America contract an equal obligation, should it happen that by agreement of the majority of the American States, the said Assembly should meet within its territory, to give the same facilities to such Meeting, as has been promised by the Republic of Colombia, in the preceding Article, as well with respect to the Isthmus of Panama, as to any other point of its own jurisdiction which may be thought fit for this most interesting object, on account of its central position between the Northern and Southern (formerly Spanish) American States.

ANNEX XIX

INVITATION OF GENERAL BOLÍVAR TO THE CONGRESS OF PANAMA, AND REPLIES FROM THE GOVERNMENTS INVITED ¹

Invitation of General Bolívar to the Congress of Panama

LIMA, December 7, 1824.

GREAT AND GOOD FRIEND: After fifteen years of sacrifices devoted to the liberty of America to secure a system of guaranties that in peace and war shall be the shield of our new destiny, it is time the interests and relations uniting the American Republics, formerly Spanish colonies, should have a fundamental basis that shall perpetuate, if possible, those Governments.

To initiate that system, and concentrate the power of this great political body, implies the exercise of a sublime authority, capable of directing the policy of our Governments, whose influence should maintain uniformity of principles, and whose name alone should put an end to our quarrels.

Such a respectable authority can exist only in an assembly of plenipotentiaries, appointed by each of our Republics, and called together

¹ *International American Conference; Reports of Committees and Discussions Thereon*, vol. iv (*Historical Appendix: The Congress of 1826, at Panama*), pp. 159-65. The replies of the Governments of Colombia, Mexico and Chili are given in full. The Governments of Brazil and the United Provinces of the Rio de La Plata did not send plenipotentiaries to the congress, but they substantially indorsed General Bolívar's idea. *Ibid.*, pp. 165-66.

under the auspices of the victory obtained by our arms over the Spanish power.

Profoundly imbued with these ideas, I invited, in 1822, as President of the Republic of Colombia, the Governments of Mexico, Peru, Chili, and Buenos Ayres to form a confederation, and hold on the Isthmus of Panama, or some other point agreeable to the majority, a congress of plenipotentiaries from each State "that should act as a council in great conflicts, to be appealed to in case of common danger, and be a faithful interpreter of public treaties, when difficulties should arise, and conciliate, in short, all our differences."

On the 6th of June of said year, the Government of Peru concluded a treaty of alliance and confederation with the Colombian plenipotentiary. By said treaty both parties bound themselves to interpose their good offices with the Governments of America lately Spanish, so that, all entering into the same agreement, the general congress of the confederates could be held. A similar treaty with Mexico was concluded on the 3d of October, 1823, by the Colombian envoy to that country; and there are strong reasons for hoping that other Governments will also adopt a policy dictated by their higher interests.

Longer to defer the general Congress of the Plenipotentiaries of the Republics that in fact are already allied awaiting the accession of the others, would be to deprive ourselves of the advantages which that assembly will produce from its very incipency.

These advantages are largely increased, if we but contemplate the spectacle that the political world, and particularly that of the European continent, presents to us.

A reunion of the plenipotentiaries of Mexico, Colombia, and Peru would be indefinitely delayed, if it should not be brought on by one of the same contracting parties, unless the time and place for the carrying out of this great object be determined by another and a special convention.

Considering the difficulties and delays presented by the distance separating us, together with other grave motives the general interest suggests, determines me to take this step with a view of bringing about an immediate meeting of our plenipotentiaries, while the rest of the Governments may conclude the preliminaries already gone through by us concerning the appointment and commissioning of their representatives.

With respect to the time of the opening of the Congress, I make

bold to think that no obstacle can oppose its verification within six months from this date; and I shall also go so far as to flatter myself that the ardent desire animating all Americans to exalt the power of the world of Columbus will diminish the obstacles and delays that the ministerial preparations demand, and the distance separating the capitals of each state and the central point of the meeting. It seems that if the world should have to choose its capital, the Isthmus of Panama would be selected for this grand destiny, located as it is in the center of the globe, having on one side Asia, and on the other Africa and Europe. The Isthmus of Panama has been tendered for this purpose in existing treaties by the Colombian Government. The Isthmus is equally distant from the extremities of the continent, and on this account ought to be the provisional seat for the first meeting of the confederates.

Yielding myself to these considerations, I am seriously inclined to send to Panama the delegates from this Republic immediately upon having the honor of receiving the desired reply to this circular. Nothing, certainly, can so realize the ardent desire of my heart as the agreement I hope for on the part of the confederated Governments to accomplish this august act of America.

Should your Excellency not adhere to this I foresee great delays and injuries, at a time, too, when the movement of the world hurries everything on, and may accelerate to our harm.

The first conferences between the plenipotentiaries once held, the seat of the Congress, as well as its powers, can be solemnly determined by the majority, and then everything will have been realized.

The day our plenipotentiaries make the exchanges of their powers will stamp in the diplomatic history of the world an immortal epoch.

When, after a hundred centuries, posterity shall search for the origin of our public law, and shall remember the compacts that solidified its destiny, they will finger with respect the protocols of the Isthmus. In them they will find the plan of the first alliances that shall sketch the mark of our relations with the universe. What, then, shall be the Isthmus of Corinth compared with that of Panama?

God preserve Your Excellency,

Your great and good friend,

SIMON BOLÍVAR.

Reply of Colombia

HIS EXCELLENCY GENERAL SIMON BOLÍVAR, ETC.

Great and Good Friend and Faithful Ally: I have read with the greatest pleasure your very estimable note dated at the city of Lima on the 7th of December ultimo, setting forth your earnest desire to see the States of America, which were Spanish, meeting in an assembly within six months, if possible.

It is for me extremely satisfactory to assure you that I, being animated by the same sentiments, have taken at once all the necessary measures to hasten the accomplishment of an event of such great importance for our safety and future happiness. The necessities of the new American States, their position with regard to Europe, and the stubbornness of the King of Spain in not recognizing them as sovereign powers, demand from us, and from our dear allies, now more than ever, the adoption of a system of political combinations, which shall nip in the bud any attempt however to involve us in new calamities. The dangerous principle of intervention that some cabinets of the Old World have adopted, and carried on so earnestly in our own days, demands on our part serious consideration, not only because of its tendency to encourage the almost extinguished hopes of our obstinate enemies, but also on account of the obnoxious consequences which the introduction in America of a rule, so subversive to the sovereign rights of the people, will necessarily produce. It seems to me, nevertheless, that however great our desire may be to lay, at least, the foundations of this work, the most wonderful ever undertaken and witnessed after the fall of the Roman Empire, our common interest requires the assembly of plenipotentiaries herein referred to to meet at the Isthmus of Panama, with the concurrence of all or at least the greatest part of the American governments, whether belligerents or neutral, as they all are interested in resisting the alleged right of intervention, of which some powers of the south of Europe have already been made the victims.

In order to secure this concurrence, instructions have been sent, under date of the 15th of July ultimo, to our chargé d'affaires at Buenos Ayres, directing him to make efforts to persuade that Government to send plenipotentiaries to the assembly at Panama, although the steps taken in that direction in 1822 proved unsuccessful. We have also waited with the greatest anxiety for the ratification of our treaty of alliance and perpetual federation with the State of Chili,

of which no information whatever has been yet received. And it is probable that the sessions of the present legislature will be closed without completing a similar compact with the Provinces of Guatemala, which are represented at this Capital by a minister, and whose recognition we have withheld through considerations of respect to our faithful ally, the Republic of Mexico. I therefore entertain the hope that the assembly of the American nations will consist of representatives of the Republics of Colombia, Mexico, Guatemala, Peru, and even Chili and Buenos Ayres, if, as it is probable, the policy of the latter country becomes more in harmony with ours, after the installation of the Congress of the United Provinces of the River Plata.

In regard to the United States I have thought it advisable to invite them to join us in the august assembly of Panama, as I am firmly persuaded that none among the allies will fail to see with satisfaction those sincere and enlightened friends take part in our deliberations upon subjects referring to our common interest. The instructions which on this matter have been transmitted to our envoy extraordinary and minister plenipotentiary in Washington, will make you acquainted in full with the reasons which induced me to take this step.

The Government of Colombia, will with great pleasure, within four months to be counted from the present day, appoint two plenipotentiaries, who shall represent it at the Isthmus of Panama; and will give them instructions to meet the plenipotentiaries of Peru, and enter with them immediately into such preliminary arrangements as may be required for the opening of the General Assembly, which perhaps may take place on the 1st of October of the present year. For the purpose of facilitating this result, I dare to venture the following suggestions: First, that the Governments of Colombia and Peru empower their plenipotentiaries to hold preparatory conferences at the Isthmus of Panama, and enter into direct correspondence with the secretaries of foreign relations, of Mexico, Guatemala, Chili and Buenos Ayres and urge them to send without any loss of time, plenipotentiaries of those Republics to the General Assembly. Second, that the plenipotentiaries of Colombia and Peru be given full liberty to select in the Isthmus of Panama such locality as they may deem to be the best, owing to its sanitary conditions, for the holding of the preparatory conferences. Third, that upon the meeting at the Isthmus of Panama of the plenipotentiaries of Colombia, Peru, Mexico and Guatemala, or at least of three of the said Republics, power be

given to them to appoint, by agreement, the day of the opening of the General Assembly. Fourth, that the General Assembly of the Confederate States be given, in the same way, full liberty to select within the Isthmus of Panama the place most suitable, on account of its sanitary conditions, for the holding of its sessions. Fifth, that the plenipotentiaries of Colombia and Peru be instructed not to leave the Isthmus of Panama for any reason whatever, after the opening of the preparatory conferences, but remain there until the General Assembly of the Confederate States is open, and its sessions are terminated.

I hope that these suggestions will show you how vivid is the interest that the the Republic of Colombia feels toward seeing the great designs of Divine Providence accomplished in our beautiful hemisphere. I ask God fervently to keep you in His holy guard.

Given, signed by my hand, and countersigned in the City of Bogotá, on the 6th of February of 1825, and the 15th of the Independence of Colombia.

F. DE P. SANTANDER.

PEDRO GUAL,

Secretary of Foreign Relations.

Reply of Mexico

PALACE OF THE GOVERNMENT AT THE CITY OF MEXICO,

February 23, 1825.

HIS EXCELLENCY THE LIBERATOR SIMON BOLÍVAR, ETC.:

Great and Good Friend: Your communication of December 7 ultimo, relative to your great project of causing an assembly of plenipotentiaries of the American Republics to convene for the purpose of discussing principles affecting their interests and relations, has been for me a source of great satisfaction; much the more so, as I, resting on the same principles as you have set forth, and animated by the same wishes you express, had already in my mind to take the initiative by sending an envoy to you to discuss the same subject and suggest the same method as you propose. The fact that the ratification by the Government of Colombia of the treaty of October 3, 1823, has not been received, and that Mexico has not entered with the other nations of this continent, formerly Spanish colonies, into agreements of the same kind as that treaty, is not an obstacle against either extending or accepting the invitation to all the Governments

to meet at the desired Congress, since the respective plenipotentiaries may be sent clothed with sufficient authority to negotiate treaties, and make them the first subject of the deliberations of the assembly.

You find yourself in the best possible circumstances to extend this invitation to the other Governments, because you are in the center of the Republics of South America, and can easily attend to the prompt sending of the plenipotentiaries to the place of meeting, a place which in my opinion must be by all means Panama. In regard to the time in which the Congress should open its sessions, I had thought of suggesting the 1st of November, taking into consideration the distances and the difficulties attending the travel of the plenipotentiaries; but if you think, as it seems, that the meeting can take place before, I have no objection to it; on the contrary, I will most earnestly indorse your views and cause the Mexican plenipotentiary to start as soon as you give me the proper notice.

As I am persuaded that the cause of independence and liberty does not belong exclusively to the Republics which were Spanish colonies, but that it is also the cause of the United States of the North, I have directed the Mexican Minister there to make a suggestion to that effect to the President of that country, so as to enable him to send his envoys, if [he] so wishes, to that assembly.

I have the high honor to answer in this way to your above-mentioned note; and I avail myself of this opportunity to congratulate you directly for your triumphs at Peru, where you have given the last blow to the Spanish rule in America.

Your great and good friend,

GUADALUPE VICTORIA.

Reply of Chili

SANTIAGO DE CHILE, July 4, 1825.

HIS EXCELLENCY THE CHIEF MAGISTRATE OF THE REPUBLIC OF PERU:

Great and Good Friend: The Director of the Republic of Chili has received with particular satisfaction the note of Your Excellency inviting this Government to send plenipotentiaries to the Isthmus of Panama, to join there those sent by the other States of America in the General Assembly called upon to consider the important subjects which your note describes.

The Director can assure you, in answer, that his sublime project has been long ago in his mind, and occupied his attention. He is


fully persuaded that America, after having secured her liberty at the cost of so many sacrifices, can not render that liberty permanent, or secure stability for her new institutions, unless through the instrumentality of such an Assembly. The fulfillment of this plan will largely contribute towards securing for our new nations the respect of Europe, and causing her to see the majesty and strength of our Republics. Isolation may make us appear weak and small; but union will render us a most respectable body, with power enough to check ambitious pretensions, and intimidate Spain.

So it is, that the wise suggestions made in your note, on this laudable subject, have caused the Director to be still more persuaded than he had been before of the urgent necessity that said Assembly meet at the earliest possible time.

But even if this Government were not animated by the feelings above explained, it would find itself bound by duty to comply with your wishes, because of the solemn treaty of friendship and alliance of December 23, 1822, between Chili and Peru.

It is unfortunate, however, that an obstacle presents itself, just at this moment, which the Government can not overcome, for the prompt accomplishment of this idea. That obstacle depends upon the fact that no legislative authority is as yet in existence to examine the bases suggested by the Colombian Government for the guidance of the plenipotentiaries in the said Assembly. But the Director flatters himself with the hope that the National Congress, which will soon meet, will devote its very first sessions to the discussion of this great subject. The Director assures you beforehand, that as soon as said Congress meet, which will be at the latest within two months, he will have special care in submitting this matter to its consideration, and will earnestly co-operate, by all means in his possession, to the speedy appointment of plenipotentiaries on the part of Chili, and the accomplishment of an idea so utterly important for Chili and the whole of America.

The Director of Chili avails himself of this opportunity to renew the expressions of his most distinguished considerations.

RAMON FREIRE. 

JUAN DE DIOS VIAL DEL RIO,
Secretary of Foreign Relations.

ANNEX XX

INSTRUCTIONS THAT ARE TO GOVERN THE CONDUCT OF THE MINISTERS
PLENIPOTENTIARY FROM PERU TO THE GREAT CONGRESS
ON THE ISTHMUS OF PANAMA ¹

ARTICLE I

Its excellency the council of government, being satisfied of your ability, patriotism, and other commendable qualities, has been pleased to appoint you Ministers Plenipotentiary to the great Federal Congress of the American States which will be held at the Isthmus of Panama, and rests assured that you, corresponding to this proof of confidence, will do everything in your power to accomplish in full the high purposes which the Government has had in view when intrusting you with the important mission of representing the national interests in that great General Assembly.

ARTICLE II

As soon as you have met the Plenipotentiaries who will be sent by Colombia to the Isthmus of Panama, you shall consider yourselves authorized to enter into direct correspondence with the secretaries of foreign relations of Mexico, Guatemala, Chili, and Buenos Ayres, and show them the urgent necessity that they send, without losing a moment, their respective Plenipotentiaries to the General Congress.

ARTICLE III

The selection of a place at the Isthmus of Panama, or elsewhere, which, on account of its salubrity and geographical position, may be the best for holding the preliminary conferences, is left to your discretion. In this you will proceed in accord with the other Plenipotentiaries who will be there on the 1st of June next.

ARTICLE IV

As soon as the Plenipotentiaries of Colombia, Mexico, and Guatemala, or at least those of Colombia and Mexico, shall arrive at the isthmus, you shall proceed, in accord with them, to appoint a day for the inauguration of the Congress.

¹ Instructions of General Bolívar of May 15, 1825. *International American Conference; Reports of Committees and Discussions Thereon*, vol. IV (*Historical Appendix: The Congress of 1826, at Panama*), p. 169.

ARTICLE V

You shall for no reason, and under no circumstances, absent yourselves from the isthmus, or the place of residence, whatever it is, selected for the Congress, before the sessions thereof have been closed.

ARTICLE VI

You shall make every effort to secure the great compact of union, league, and perpetual confederation against Spain, and against foreign rule, of whatever character, to be renewed in the most solemn manner.

ARTICLE VII

You shall endeavor to obtain from the great Congress of the American States the issuing of a proclamation, setting forth the narrow views and designs of Spain, the immense harm which her Government has done to America, and the political course of action which America proposes to pursue in her relations with the powers of the world, namely, friendship to all, and strict neutrality.

ARTICLE VIII

Whereas the Spanish Government will always be able, as long as the Islands of Puerto Rico and Cuba belong to Spain, to promote discord, encourage domestic troubles, and threaten the independence and peace of many countries of America, you shall make efforts to cause the Congress to decide about the fate of both islands. If the Congress, sensitive to the true interests of the countries represented by it, believes that it is advisable for them to free those islands, you shall enter into a treaty to that effect with the other States, setting forth in detail what forces of land and sea, and what sum of money, each State of America shall have to contribute for that important operation. Said treaty shall provide also whether said islands, or any of them separately, shall be annexed to some one of the Confederated States, or left at liberty to select by themselves, as they deem best, their own government.

ARTICLE IX

Should it be decided that the islands of Puerto Rico and Cuba are to be annexed to one of the States, you shall endeavor to secure also the further decision of the question whether the State to which

they will be annexed shall or shall not be bound to pay the expenses incurred for their emancipation; and, if yea, what the manner and terms of payment shall be.

ARTICLE X

If it be decided that the fate of the islands is to be left to them, you shall endeavor to secure some declaration on the question whether they shall or shall not be required to repay the expenses incurred; and, if yea, about the manner and terms of payment.

ARTICLE XI

You shall endeavor to negotiate treaties of friendship, navigation, and commerce with the new American States as allies and confederates.

ARTICLE XII

You shall also negotiate with the same States a consular convention, defining clearly and distinctly the prerogatives of their respective consuls.

ARTICLE XIII

You shall see that the proclamation which, under article 7 of these instructions, must be issued and published by the Great Congress of the Isthmus, contains such an energetic and efficient declaration as that made by the President of the United States of America in his message to Congress of last year in regard to the necessity for the European power of abandoning all ideas of further colonization on this continent, and in opposition to the principle of intervention in our domestic affairs.

ARTICLE XIV

You shall exert yourselves in securing by common consent the determination or settlement of disputed points in international law, especially those affecting the relations between belligerents and neutral nations.

ARTICLE XV

You shall urge some declaration to be made as to the relations, both political and commercial, to be established between us and those portions of our hemisphere, as San Domingo and Hayti, who emancipated themselves from their mother country, but have not as

yet succeeded in obtaining recognition by any power, whether European or American.

ARTICLE XVI

Inasmuch as, in view of the exhausted condition to which all the American States have been reduced by the recent struggles, there is danger that one of them, if invaded and left to defend itself alone, would find itself involved in a prolonged and ruinous contest, which would end in its destruction, you shall endeavor to negotiate a treaty by which all of the new American States attending the Congress be united in a close alliance both offensive and defensive. That treaty shall fix the contingent of forces of land and sea, and other assistance, which each nation should contribute for the defense of the invaded State.

ARTICLE XVII

Pursuant to the indications contained in the preceding article, you shall interest yourselves in securing on the part of the American States attending the Congress of the Isthmus, the adoption and vigorous enforcement of a well combined plan of hostilities against Spain, so as to compel her Government to make peace and recognize the independence of the American Continent. It would be conducive to this end not to permit commerce with Spain, even in an indirect manner, at any place in the States with which she is at war, and declare therefore the products of Spanish soil and industry and the vessels which carry them, under whatever flag, liable to confiscation; to forbid the Spaniards who left during the course of the revolution to return to America before the peace is made; to keep under embargo for the same period of time the property of those absentees; to aid by all means possible the fitting up and arming of privateers which should embarrass or destroy Spanish travel and commerce; to demand from Spain, as a "*conditio sine qua non*" for the establishment of peace, or the negotiation of treaties of commerce, a solemn recognition on her part of the independence of all the American States; and to cause the said States to pledge themselves not to accept respectively any recognition of their own individual independence, unless it is coupled with that of all the others.

ARTICLE XVIII

You shall endeavor to secure that the boundaries of the American States be fixed by agreement among themselves upon the basis that

each one shall retain the territory which it possessed when the revolution began; and you shall be particular in this point, and not allow the limits to be described vaguely and indefinitely, but see on the contrary that they are clearly and precisely described, taking advantage as far as practicable of natural and well known landmarks as large rivers or mountains, so as to make the division of the States conformable with what nature itself has marked, and avoid in the future all possibility of dispute.

ARTICLE XIX

As America is in need of a long period of rest and peace for recovering from the harm she has suffered in the war with Spain, and as a tendency towards local independence and sovereignty is clearly noticeable through the whole of the continent, you shall endeavor to settle these questions which may arise out of this tendency, and obtain some decision about what portion of the new States can be considered representatives of the sovereignty and national will, and in what manner can this will be expressed to have legal effects.

ARTICLE XX

After this point is decided, you shall endeavor to obtain a declaration to the effect that the American States far from encouraging and aiding seditious and ambitious disturbers of the public peace and order, will on the contrary co-operate with each other, by all means in their possession, in supporting and maintaining all legally constituted governments.

ARTICLE XXI

You shall earnestly interest yourselves in securing from the General Assembly the enacting of such measures as may be deemed to be most efficient for the suppression of the slave-trade in America.

ARTICLE XXII

You shall see that the treaties agreed upon at the great Federal Congress of the American States, after their being properly ratified by the respective Governments, be promulgated as the public law of America, and made obligatory on all the States which were parties thereto.

ANNEX XXI

VIEWS OF GENERAL BOLÍVAR ON THE CONGRESS OF PANAMA ¹

The congress of Panama will bring together all the representatives of America and a diplomatic agent of His Britannic Majesty. This congress seems to be destined to create a further-reaching, more extraordinary, stronger league than has ever been formed in the world. The Holy Alliance will be less powerful than this confederation, should England be willing to be a party as a constituent member. Mankind will bless a thousand times such league for the public weal, and America as well as Great Britain will reap its benefits.

The relations of political communities would obtain a code of public law for their universal rule of conduct.

1. The New World would be formed by independent nations bound together by a common set of laws which would fix their foreign relations and would give them a conservative power in a general and permanent congress.

2. The existence of these new States would obtain new guaranties.

3. Spain would make peace through respect for England, and the Holy Alliance would recognize these new rising nations.

4. Internal order would be preserved untouched, both among and within each of the different States.

5. No one would be weaker than the other, no one the stronger.

6. A perfect balance would be established in this true new order of things.

7. The strength of all would come to the aid of the one suffering from a foreign enemy or anarchical factions.

8. Difference of origin and color would lose their influence and power.

9. America would have nothing more to fear from that awful monster which has devoured the island of Santo Domingo, nor would there be any fear of the preponderance in numbers of the primitive inhabitants.

10. Social reform, in short, would have been attained under the blessed auspices of liberty and peace, but England should necessarily take in her hands the beam of the scales.

Great Britain would undoubtedly attain considerable advantages through this arrangement.

¹ *Second Pan American Scientific Congress, The Report of the Secretary General* (Washington, 1917), p. 142.

1. Her influence in Europe would progressively increase and her decisions would be like those of destiny.

2. America would serve her as a wealthy commercial domain.

3. America would be to her the center of her relations between Asia and Europe.

4. English subjects would be considered equal to the citizens of America.

5. The mutual relations between the two countries in time would become the same.

6. British characteristics and customs would be taken by Americans as standards of their future life.

7. In the advance of the centuries, there would be, perhaps, one single nation covering the world—the federal nation.

These ideas are in the mind of some Americans of the most prominent class; they are awaiting impatiently the initiation of this project in the Panama congress, which may be the occasion of consolidating the union of the new States with the British Empire.

(Lima, February, 1826.)

BOLÍVAR.

ANNEX XXII

INSTRUCTIONS OF SECRETARY OF STATE CLAY TO THE UNITED STATES DELEGATES TO THE CONGRESS OF PANAMA, MAY 8, 1826¹

DEPARTMENT OF STATE,
Washington, May 8, 1826.

GENTLEMEN: The relations in which the United States stand to the other American powers, and the duties, interests, and sympathies which belong to those relations, have determined the President to accept an invitation which has been given by the Republics of Colombia, Mexico, and Central America to the United States to send representatives to the Congress at Panama. He could not, indeed, have declined an invitation proceeding from sources so highly respectable, and communicated in the most delicate and respectful manner, without subjecting the United States to the reproach of

¹ Extract. *International American Conference, Reports of Committees and Discussions Thereon*, vol. IV (*Historical Appendix: The Congress of 1826 at Panama*), pp. 113-49.

insensibility to the deepest concerns of the American Hemisphere, and perhaps to a want of sincerity in most important declarations, solemnly made by his predecessor, in the face of the Old and the New World. In yielding, therefore, to the friendly wishes of those three Republics, communicated in the notes of their respective ministers at Washington, of which copies are herewith, the United States act in perfect consistency with all their previous conduct and professions in respect to the new American States.

The assembling of a Congress at Panama composed of diplomatic representatives from independent American nations will form a new epoch in human affairs. The fact itself, whatever may be the issue of the conferences of such a congress, can not fail to challenge the attention of the present generation of the civilized world, and to command that of posterity. But the hope is confidently indulged that it will have other and stronger claims upon the regard of mankind than any which arise out of the mere circumstance of its novelty, and that it will entitle itself to the affection and lasting gratitude of all America, by the wisdom and liberality of its principles and by the new guaranties it may create for the great interests which will engage its deliberations. On an occasion so highly important and responsible the President has been desirous that the representation from the United States should be composed of distinguished citizens. Confiding in your zeal, ability, and patriotism, by and with the advice and consent of the Senate, he has selected you for this interesting service. And it is his wish that you should proceed with all practicable dispatch to Panama. . . .

. . . After the mutual exchange of powers, it will be necessary to determine the forms of deliberation and the modes of proceeding of the congress. It is distinctly understood by the President that it is to be regarded in all respects as diplomatic in contradistinction to a body clothed with powers of ordinary legislation; that is to say, no one of the States represented is to be considered bound by any treaty, convention, pact, or act to which it does not subscribe and expressly assent by its acting representative, and that, in the instance of treaties, conventions, and pacts, they are to be returned for final ratification to each contracting State according to the provisions of its particular constitution. All idea is, therefore, excluded of binding a minority to agreements and acts contrary to its will, by the mere circumstance of the concurrence of a majority of the States in those agreements and acts. Each State will, conse-

quently, be governed and left free, according to its own sense of its particular interests. All notion is rejected of an amphictyonic council, invested with power finally to decide controversies between the American States or to regulate in any respect their conduct. Such a council might have been well enough adapted to a number of small contracted States, whose united territory would fall short of the extent of that of the smallest of the American powers. The complicated and various interests which appertain to the nations of this vast continent can not be safely confided to the superintendence of one legislative authority. We should almost as soon expect to see an amphictyonic council to regulate the affairs of the whole globe. But even if it were desirable to establish such a tribunal, it is beyond the competency of the Government of the United States voluntarily to assent to it, without a previous change of their actual constitution. . . .

In now proceeding to direct your attention particularly to the instructions of the President, by which, after having settled the preliminary point to which I have just adverted, you will govern yourselves, the first observation to be made is, that, in acceding to the invitation which has been accepted, no intention has been entertained to change the present pacific and neutral policy of the United States. On the contrary, it has been distinctly understood by the three Republics who gave the invitation, and has been enforced on our part in all our communications with them in regard to it, that the United States would strictly adhere to that policy, and mean faithfully to perform all their neutral obligations. Whilst the existing war is limited to the present parties, it is as unnecessary as it would be unwise in the United States to become a belligerent. A state of things can hardly be imagined in which they would voluntarily take part on the side of Spain; and on that of the republics it would be entirely useless, since they have been all along able, unaided, triumphantly to maintain their cause and to conquer the arms, if they have not overcome the obstinacy of Spain. By maintaining the neutral position which the United States have assumed, they have been enabled to hold strong language to Europe, and successfully to check any disposition which existed there to assist Spain in the reconquest of the colonies. If they had departed from their neutrality and precipitated themselves into the war, there was much reason to apprehend that their exertions might have been neutralized, if not overbalanced, by those of other powers who would have been

drawn, by that rash example, into the war, in behalf of Spain. Keeping, therefore, constantly in view the settled pacific policy of the United States, and the duties which flow from their neutrality, the subjects will now be particularized, which, it is anticipated, will engage the consideration of the congress at Panama.

These subjects may be arranged under two general heads: (1) Such as relate to the future prosecution of the present war with Spain by the combined or separate operation of the American belligerents. (2) Those in which all the nations of America, whether neutral or belligerent, may have an interest.

In respect to the first, for the reasons already stated, we can take no part. Discussions of them must be confined to the parties to the war. You will refrain from engaging in them. You will not be expected or desired to do so. But, whilst it has been perfectly understood that the United States could not, at the congress, jeopard their neutrality, they may be urged to contract an alliance, offensive and defensive, on the contingency of an attempt by the powers of Europe, commonly called the Holy Alliance, either to aid Spain to reduce the new American Republics to their ancient colonial state or to compel them to adopt political systems more conformable to the policy and views of that alliance.

Upon the supposition of such an attempt being actually made, there can be no doubt what it would be the interest and bounden duty of the United States to do. Their late Chief Magistrate solemnly declared what, in that event, he considered they ought to do. The people of the United States acquiesced in the declaration, and their present Chief Magistrate entirely concurs in it. If, indeed, the powers of continental Europe could have allowed themselves to engage in the war for either of the purposes just indicated, the United States, in opposing them with their whole force, would have been hardly entitled to the merit of acting on the impulse of a generous sympathy with infant, oppressed, and struggling nations. The United States, in the contingencies which have been stated, would have been compelled to fight their own proper battles, not less so because the storm of war happened to rage on another part of this continent at a distance from their borders; for it cannot be doubted that the presumptuous spirit which would have impelled Europe upon the other American Republics in aid of Spain, or on account of the forms of their political institutions, would not have been appeased if her arms in such an unrighteous contest should have

been successful until they were extended here, and every vestige of human freedom had been obliterated within these States.

There was a time when such designs were seriously apprehended, and it is believed that the declaration of the late President to the Congress of the United States, which has been already referred to, had a powerful effect in disconcerting and arresting their progress. About the same period Great Britain manifested a determination to pursue the same policy in regard to the new Republics which the United States had previously marked out for themselves. After these two great maritime powers, Great Britain and the United States had let continental Europe know that they would not see with indifference any forcible interposition in behalf of Old Spain, it was evident that no such interposition would or with any prospect of success could be afforded. Accordingly since that period there have been no intimations of any designs on the part of European alliance against the new American Republics. If that alliance has seen with any dissatisfaction (as may be well imagined) the successful progress of those Republics, both in the war and in the establishment of their free political systems, they have confined themselves to silent and unavailing regrets.

The auspicious course of events has not only occasioned the abandonment of any hostile intentions which were entertained, if such were ever entertained, by the European alliance, but there is strong reason to hope that it has led to the creation of pacific, if not friendly, views toward our sister Republics. Upon the entry of the President of the United States on the duties of his present office his attention was anxiously directed to, and has been since unremittingly employed on, the object of establishing peace between Spain and those Republics. In considering the means for its accomplishment no very sanguine hope was indulged from an approach to Spain directly, and it was thought best to endeavor to operate on her through that alliance on whose countenance and support she mainly relied for the recovery of the colonies. Russia was known to be the soul of that alliance, and to the Emperor, of whose wisdom and friendship the United States had so many proofs, the appeal was at once made. A copy of the note from this Department to the American ministers at St. Petersburg on that subject accompanies these instructions. Copies of it were transmitted contemporaneously to the courts of London and Paris, whose co-operation in the work of peace was also invited. Our minister at Madrid was instructed to lose no fit

occasion there for creating or strengthening a disposition toward peace. The hope was cherished that by a general and concerted movement of the United States and the great powers of Europe at the same time the councils of Spain might be prevailed upon to accede to a peace, which had become more necessary, if possible, to her than to the new Republics.

An answer has been lately received here from St. Petersburg through Mr. Middleton, a copy of which, together with copies of his accompanying notes, is placed in your hands. From a perusal of these documents, the contents of which have been confirmed by the Russian minister in official interviews which I have had with him, you will perceive that the appeal to Russia has not been without effect, and that the late Emperor, sensible of the necessity of peace, prior to his death probably employed his good offices to bring it about. His successor has formally announced his intention to tread in the path of his illustrious predecessor, and it is therefore most likely that he will also direct the influence of that Government to the conclusion of a peace satisfactory to both parties. It is possible that these efforts may not be effectual and that the pride and obstinacy of Spain may be unconquerable. There is, however, much reason to hope that she may either consent to a peace upon the basis of the independence of the colonies, or, if she feels that too humiliating, that she will agree to a suspension of hostilities, as was formerly done in the case of the Low Countries, which would in the end inevitably lead to a formal acknowledgment of the actual independence of the new Republics. Whatever may be the future course of Spain, the favorable reception which the Emperor of Russia has given to the overture of the United States, to say nothing of the known inclination of France and other powers of the European continent to follow the example of the United States and Great Britain, fully authorizes the conclusion that the Holy Alliance will not engage in the war on the side of Spain, but will persevere in their actual neutrality. The danger, therefore, from that quarter having disappeared, there can be no necessity at this time for an offensive and defensive alliance between the American powers, which could only find a justification at any period in the existence or continuation of such a danger. Such an alliance, under present circumstances, would be worse than useless, since it might tend to excite feelings in the Emperor of Russia and his allies which should not be needlessly touched or provoked.

The Republic of Colombia has recently requested the friendly interposition of this Government to prevail upon Spain to agree to an armistice, upon the conditions mentioned in Mr. Salazar's note, of which a copy, together with a copy of mine in reply, acceding to the request, is now furnished. And instructions have been accordingly given to the ministers of the United States at Madrid and St. Petersburg.

Other reasons concur to dissuade the United States from entering into such an alliance. From the first establishment of their present constitution, their illustrious statesmen have inculcated the avoidance of foreign alliances as a leading maxim of their foreign policy. It is true, that in its adoption, their attention was directed to Europe, which having a system of connections and of interests remote and different from ours, it was thought most advisable that we should not mix ourselves up with them. And it is also true, that long since the origin of the maxim, the new American powers have arisen, to which, if at all, it is less applicable.

Without, therefore, asserting that an exigency may not occur in which an alliance of the most intimate kind between the United States and the other American Republics would be highly proper and expedient, it may be safely said that the occasion which would warrant a departure from that established maxim ought to be one of great urgency, and that none such is believed now to exist. Among the objections to such alliances, those which at all times have great weight are, first, the difficulty of a just and equal arrangement of the contributions of force and of other means between the respective parties to the attainment of the common object; and, secondly, that of providing beforehand, and determining with perfect precision, when the *casus fæderis* arises, and thereby guarding against all controversies about it. There is less necessity for any such alliance at this conjuncture on the part of the United States, because no compact, by whatever solemnities it might be attended, or whatever name or character it might assume, could be more obligatory upon them than the irresistible motive of self-preservation, which would be instantly called into operation, and stimulate them to the utmost exertion in the supposed contingency of an European attack upon the liberties of America.

The considerations to which I have now adverted, together with such others as may present themselves to you, will, it is hoped, satisfy the representatives of the other American States that an

alliance, offensive and defensive, between them and the United States for the object which has been stated is unnecessary if not mischievous. Should you, however, be unable to bring that conviction home to them, and should you have reason to believe that the positive rejection of such an alliance would be regarded in an unfriendly light and have a pernicious effect on your other negotiations you will invite them to reduce their proposals of the terms of such an alliance as they may conceive proper to a written precise form, and state that you will take them *ad referendum*. That will afford to the Government here the opportunity of reconsideration, with the advantage of all the information that may be evolved in the intervening period. The alliance, if ever admissible, having been a question of time, the delay incident to the reference home by further demonstrating its expediency will better prepare the Congress at Panama for the final rejection, which it is most probable this Government will give to the project.

In treating of those subjects in which all the nations of America, whether now at war or in peace, may be supposed to have a common interest, you will, on all suitable occasions, inculcate the propriety of terminating the existing war as soon as may be, and of cherishing the means best adapted to the preservation of peace among themselves, and with the rest of the world. The cultivation of peace is the true interest of all nations, but it is especially that of infant States. Repose is not more necessary to the growth and expansion of individuals in their youth, than it is to that of young nations, which have, in the midst of war, commenced the career of independence and self-government. Peace is now the greatest want of America. Desirable, however, as it unquestionably is, there is nothing in the present or in the future, of which we can catch a glimpse, that should induce the American Republics, in order to obtain it, to sacrifice a particle of their independent sovereignty. They ought, therefore, to reject all propositions founded upon the principle of a concession of perpetual commercial privileges to any foreign power. The grant of such privileges is incompatible with their actual and absolute independence. It would partake of the spirit, and bring back, in fact, if not in form, the state of ancient colonial connection. Nor would their honor and national pride allow them to entertain or deliberate on propositions founded upon the notion of purchasing, with a pecuniary consideration, the Spanish acknowledgment of their independence.

Next to the more pressing object of putting an end to the war

between the new republics and Spain should be that of devising means to preserve peace in future among the American nations themselves, and with the rest of the world. No time could be more auspicious than the present for a successful inquiry by the American nations into the causes which have so often disturbed the repose of the world, and for an earnest endeavor, by wise precaution, in the establishment of just and enlightened principles for the government of their conduct, in peace and in war, to guard, as far as possible, against all misunderstandings. They have no old prejudices to combat, no long established practices to change, no entangled connections or theories to break through. Committed to no particular systems of commerce, nor to any selfish belligerent code of law, they are free to consult the experience of mankind, and to establish without bias principles for themselves, adapted to their condition, and likely to promote their peace, security, and happiness. Remote from Europe, it is not probable that they will often be involved in the wars with which that quarter of the globe may be destined hereafter to be afflicted. In these wars, the policy of all America will be the same, that of peace and neutrality, which the United States have heretofore constantly labored to preserve.

If the principles which that probable state of neutrality indicates as best for the interests of this hemisphere be, at the same time, just in themselves, and calculated to prevent wars, or to mitigate the rigor of those great scourges, they will present themselves to the general acceptance with an union of irresistible recommendations. Both those qualities are believed to be possessed by the maritime principles for which the United States have ever contended, and especially throughout the whole period of the late European wars. The President wishes you to bring forward those principles on an occasion so auspicious as that is anticipated to be of the Congress of Panama. Uncontrolled power, on whatever element it is exerted, is prone to great abuse. But it is still more liable to abuse on the sea than on the land, perhaps because it is there exercised beyond the presence of impartial spectators, and, therefore, with but little moral restraint resulting from the salutary influence of public opinion, which, if applied at all, has always to be subsequently, and consequently less efficaciously, applied. The moral cognizance, when it comes to be taken, finds, too, a more doubtful or contested state of fact, than if the theater had been where there were more numerous and less prejudiced witnesses.

At all times there has existed more inequality in the distribution among nations of maritime than of territorial power. In almost every age, some one has had the complete mastery on the ocean, and this superiority has been occasionally so great as to more than counterbalance the combined maritime force of all other nations, if such a combination were practicable. But when a single nation finds itself possessed of a power anywhere which no one, nor all other nations, can successfully check or countervail, the consequences are too sadly unfolded in the pages of history. Such a nation grows presumptuous, impatient of contradiction or opposition, and finds the solution of national problems easier, and more grateful to its pride, by the sword than by the slow and less brilliant process of patient investigation. If the superiority be on the ocean, the excesses in the abuses of that power become intolerable. Although, in the arrangement of things, security against oppression should be the greatest where it is most likely to be often practiced, it is, nevertheless, remarkable that the progress of enlightened civilization has been much more advanced on the land than on the ocean. And accordingly personal rights, and especially those of property, have both a safety and protection on the former, which they do not enjoy on the latter element. Scarcely any circumstance would now tend more to exalt the character of America than that of uniting its endeavors to bring up the arrears of civilization, as applied to the ocean, to the same forward point which it has attained on the land, and thus, rendering men and property secure against all human injustice and violence, leave them exposed only to the action of those storms and disasters, sufficiently perilous, which are comprehended in the dispensations of Providence.

It is under the influence of these and similar considerations that you will bring forward, at the contemplated Congress, the proposition to abolish war against private property and non-combatants upon the ocean. . . .

In December, 1823, the then President of the United States, in his annual message, upon the opening of congress, announced, as the principle applicable to this continent, what ought hereafter to be insisted upon, that no European nation ought to be allowed to plant upon it new colonies. It was not proposed, by that principle, to disturb pre-existing European colonies already established in America; the principle looked forward, not backward. Several of the new American States have given intimation of their concurrence in the principle; and it is believed that it must command the assent of the impartial world.

Whilst America was, comparatively, a boundless waste, and an almost unpeopled desert, claimed and probably first settled by civilized men by the European powers who discovered it, if they could agree among themselves as to the limits of their respective territories, there was no American State to oppose, or whose rights could be affected by, the establishment of new colonies. But now the case is entirely altered; from the northeastern limits of the United States, in North America, to Cape Horn; in South America, on the Atlantic Ocean, with one or two inconsiderable exceptions; and from the same cape to the fifty-first degree of north latitude, in North America, on the Pacific Ocean, without any exception, the whole coasts and countries belong to sovereign resident American powers. There is, therefore, no chasm within the described limits in which a new European colony could be now introduced without violating territorial rights of some American State. An attempt to establish such a colony, and by its establishment to acquire sovereign rights for any European power, must be regarded as an inadmissible encroachment.

If any portion of the people of Europe, driven by oppression from their native country, or actuated by a desire of improving the condition of themselves or their posterity, wish to migrate to America, it will no doubt be the policy of all the new States, as it ever has been ours, to afford them an asylum, and, by naturalization, to extend to such of them as are worthy the same political privileges which are enjoyed by the native citizens. But this faculty of emigration can not be allowed to draw after it the right of the European State, of which such emigrants shall have been natives, to acquire sovereign powers in America. The rule is good by which one, in judging of another's conduct or pretensions, is advised to reverse positions. What would Europe think of an American attempt to plant there an American colony? If its pride would be provoked and its powers exerted to repress and punish such a presumptuous act, it is high time that it should be recollected and felt that Americans, themselves descended from Europeans, have also their sensibilities and their rights.

To prevent any such new European colonies, and to warn Europe beforehand that they are not hereafter to be admitted, the President wishes you to propose a joint declaration of the several American States, each, however, acting for and binding only itself, that within the limits of their respective territories no new European colony will

hereafter be allowed to be established. It is not intended to commit the parties who may concur in that declaration to the support of the particular boundaries which may be claimed by any one of them; nor is it proposed to commit them to a joint resistance against any future attempt to plant a new European colony. It is believed that the moral effect alone of a joint declaration, emanating from the authority of all the American nations, will effectually serve to prevent the effort to establish any such new colony; but if it should not, and the attempt should actually be made, it will then be time enough for the American powers to consider the propriety of negotiating between themselves, and, if necessary, of adopting in concert the measures which may be necessary to check and prevent it. The respect which is due to themselves, as well as to Europe, requires that they should rest in confidence that a declaration thus solemnly put forth will command universal deference. It will not be necessary to give to the declaration now proposed the form of a treaty. It may be signed by the several ministers of the congress, and promulgated to the world as evidence of the sense of all the American powers.

Among the subjects which must engage the consideration of the congress, scarcely any has an interest so powerful and commanding as that which belongs to Cuba and Porto Rico, the former especially. Cuba, from its position, the present amount and character of its population, that which it is capable of sustaining, its vast though almost latent resources, is at present the great object of attraction both to Europe and America. No power, not even Spain itself, has in such a variety of forms so deep an interest in its future fortunes, whatever they may happen to be, as the United States. Our policy in regard to it is fully and frankly disclosed in the before-mentioned note to Mr. Middleton. It is there stated that for ourselves we desire no change in the possession or political condition of that island, and that we could not, with indifference, see it transferred from Spain to any other European power. We are unwilling to see its transfer or annexation to either of the new American States. . . .

Finally, I have it in charge to direct your attention to the subject of the forms of government and to the cause of free institutions on this continent. The United States never have been, and are not now, animated by any spirit of propagandism. They prefer to all other forms of government, and are perfectly contented with, their own confederacy. Allowing no foreign interference either in the formation or in the conduct of their government, they are equally

scrupulous in refraining from all interference in the original structure or subsequent interior movement of the governments of other independent nations. Indifferent they are not, because they can not be indifferent to the happiness of any nation. But the interest which they are accustomed to cherish in the wisdom or the folly which may mark the course of other powers in the adoption and execution of their political systems is rather a feeling of sympathy than a principle of action. In the present instance they would conform to their general habit of cautiously avoiding to touch on a subject so delicate; but that there is reason to believe that one European power, if not more, has been active both in Colombia and Mexico, if not elsewhere, with a view to subvert, if possible, the existing forms of free government there established, to substitute the monarchical in place of them, and to plant on the newly-erected thrones European princes.

In both instances it is due to our sister Republics and otherwise proper to add that the design met with a merited and prompt repulse; but the spirit which dictated it never slumbers, and it may be renewed. The plausible motive held out, and which may be repeated, is that of a recognition of the independence of the new States, with assurance that the adoption of monarchical institutions will conciliate the great powers of Europe. The new Republics being sovereign and independent States, and exhibiting this capacity for self-government at home, being in fact acknowledged by the United States and Great Britain, and having entered into treaties and other national compacts with foreign powers, have a clear right to be recognized. From consideration of policy the act of recognition has been delayed by some of the European States, but it can not much longer be postponed, and they will shortly find themselves required to make the concession from a regard to their own interests, if they would not from a sense of justice. But their recognition is not worth buying, and nothing would be more dishonorable than that the Republic should purchase, by mean compliances, the formal acknowledgment of that independence which has been actually won by so much valor and by so many sacrifices. . . .

H. CLAY.

ANNEX XXIII

THE CONGRESS OF LIMA OF 1847

*Protocol of the Conference held on the 1st of March, 1848, Señor José Benavente, presiding*¹

The plenipotentiaries of Bolivia, Chili, Ecuador, New Granada, and Peru having met together, the protocol of the Conference of February 8th ultimo was read and approved, and the protocols and other documents which could not be signed at the previous session were signed.

The plenipotentiary from Ecuador said that he had instructions from his Government to bring to the knowledge of the plenipotentiaries a note from the Ecuadorian consul at Caracas, bringing the intelligence that by reason of the war the United States are waging against Mexico the Spanish Government, by agreement with a great potentate and with Marie-Christine, proposes to convert the islands of Cuba, Puerto Rico, and the Spanish portion of San Domingo into a monarchy, and at the same time to unite on the continent the States which formed Colombia to establish an empire; that to carry this scheme into effect General Juan José Flores has been sent on this mission, and it appears that the purpose is to throw these countries into a state of anarchy, so as to present to them as a peace-maker the monarch who is to rule them. The other plenipotentiaries stated that although it appears little probable that such a scheme to establish monarchies in America by the means indicated may be attempted to be carried out, nevertheless they reiterate their statements in the Conference held on the 24th day of January, and they do not doubt that should any of the events there mentioned take place, their Governments would act in accordance with the stipulations of the treaty of confederation, so soon as through mutual communications they shall recognize the necessity of doing it.

There being no further business to engage the Plenipotentiaries, they have closed their Conferences by signing the present and last of the protocols thereof.

D. S. BENAVENTE.

JUAN DE FRANCISCO MARTIN.

PABLO MERINO.

MANUEL FERREIROS.

JOSÉ BALLIVIAN.

¹ *International American Conference, Reports of Committees and Discussions Thereon*, vol. IV, pp. 204-6.

The passage referred to in the protocol of January 24 is as follows:

The plenipotentiary from Ecuador stated that, complying with his instructions, he called the attention of the Congress to a serious matter, which was the military expedition planned and organized in Spain by ex-General Juan José Flores, for the purpose of reconquering these countries and returning them to the mother country. That in proof of this fact the Ecuadorian Government had received advices from its confidential agent in London and from the minister for foreign affairs of Chili, asserting that ex-General Flores did not desist from his plan even after the embargo of the steam-ships and transports which were to carry the said expedition; that he had gone to Belgium for the purpose of making new enlistments; that the minister for foreign affairs of Chili had expressed himself in like manner in his last year's report to Congress; that ex-General Flores, after his arrival in North America, had stationed himself in Jamaica, from which point he was stirring up discord and fomenting revolutions in Ecuador by means of writings and confidential letters which he had addressed to the present commanding general at Guayaquil and to other parties, and even by transmitting funds to various persons to cause an uprising in the country; that two revolutions, one in Guayaquil and another in Quito, had been discovered and crushed out; that news had been received that Don Andres Santa Cruz was in league with Flores to stir up like disturbances in Bolivia and Peru, for he had lately written to a distinguished person in Chili, that on the least expected day he would be on these shores, because Bolivia had broken the conditions under which he had agreed to expatriate himself and go to Europe; that for all these reasons he proposed to the American Congress that a public or secret treaty be entered into, by which the Confederate Republics should bind themselves to refuse asylum within their respective territories to ex-General Flores, as the enemy and perturber of the peace of America.

The other plenipotentiaries stated that they had no instructions from their governments empowering them to enter into negotiations upon the subject suggested by that of Ecuador in the way he proposed; that the treaty of confederation already stipulated all that was necessary in the premises in general, and that it was as applicable to the case of General Flores attempting an invasion (section 4, article 2) as it was to his trying to create disturbances in Ecuador from others of the Confederate Republics (article 14); and that the

governments, should necessity arise, would act in accordance with these stipulations even in case the treaty should not have been ratified, for they are in keeping with the principles which were expressed by the said governments from the moment notice was had of the plan of General Flores.

*Treaty of Confederation between the Republics of Peru, Bolivia, Chile, Ecuador and New Granada, Signed at Lima, February 8, 1848*¹

In the name of the Most Holy Trinity

The countries of the American continent which for three centuries had, as Spanish colonies, suffered an oppressive rule, having proclaimed their political emancipation, succeeded in establishing their rights after a long and bloody struggle, and having constituted themselves as independent Republics with liberal principles and institutions and extensive elements of wealth and prosperity, threw open their commerce to all the nations of the world. But notwithstanding the well-founded and promising hopes entertained regarding the future of these Republics, they are still too weak, as has been the case with all nations at first, and are likely to suffer usurpations or offenses inflicted against their independence, their dignity and interests, or to have their mutual relations of peace and friendship disturbed.

Under such circumstances, nothing would seem more natural or necessary for the Spanish-American Republics than to forsake the state of isolation in which they have been, and devise effective means to solidly strengthen their union, in order to maintain their independence, sovereignty, institutions, dignity and interests, and settle always through peaceful and free channels such differences as may arise among them. United by the ties of origin, language, religion and customs, by their geographical position, by the common cause which they have upheld, by the similarity of their institutions, and, above all, by their common necessities and mutual interests, they cannot but consider themselves as part of one and the same nation and join their forces and pool their resources in order to overcome the obstacles which retard their advancement towards the destiny which is offered by nature and civilization to them. Just as

¹ Extract. R. Aranda, *Congresos y Conferencias internacionales en que ha tomado parte el Peru* (Lima, 1909), vol. I, p. 171. Proceedings of the Conference of Lima are found in *ibid.*, pp. 90 et seq. See also *International American Conference, Reports of Committees and Discussions thereon*, vol. IV, p. 202.

the examples presented by Spanish America in their political emancipation have been new and extraordinary, the condition in which it finds itself at the present time is also new and extraordinary; it is a special and favorable condition to establish its various relations in such a manner as may be more agreeable to its own requirements and well-understood interests and the sacred principles of the law of nations. Convinced of this proposition, the Governments of the Republics of Peru, Bolivia, Chile, New Granada and Ecuador have agreed to conclude the necessary treaties on the aforementioned subjects; and, for that purpose, have conferred full power upon their respective ministers, as follows:

The Government of Peru, citizen Manuel Ferreyros; the Government of Bolivia, citizen José Ballivian; the Government of Chile, citizen Diego José Benavente; the Government of Ecuador, citizen Pablo Merino; the Government of New Granada, citizen Juan de Francisco Martin; who having exchanged and found their powers sufficient and in due form, have agreed to the following:

TREATY OF CONFEDERATION

ARTICLE I

The High Contracting Parties unite, bind and confederate themselves for the purpose of upholding the sovereignty and independence of all and each one of them; of maintaining the integrity of their respective territories; of insuring therein their rule and domain; and of denying their consent to offenses or outrages unduly committed against any one of them. For that purpose they shall help each other with their respective land and naval forces and with all other means of defense at their disposal, in the manner and under the terms stipulated in the present treaty.

ARTICLE 2

In virtue of the preceding article and for the purposes therein expressed, the *casus foederis* shall be understood to arise:

1. When any foreign nation shall occupy or attempt to occupy any portion of the territory included within the boundaries of any of the Confederated Republics, or shall make use of force to exclude such territory from under the rule and domain of the said republic under any pretense whatsoever alleged for the purpose; for the Confederated Republics guarantee to each other, mutually and in the

most express and solemn manner, the rule and domain which they exercise over all the territory included within their respective boundaries, and they do not recognize, nor will they ever recognize any right in any foreign Power or in any indigenous tribe to dispute, as against them, any such rule and domain.

2. When any foreign government shall intervene or claim to intervene by force in order to change the institutions of any or of some of the Confederate Republics, or in order to demand that they shall do that which is not permissible under the law of nations, or is not in accordance with the usages accepted by civilized nations, or is not permitted by their own laws, or in order to prevent the execution of the said laws, or of the orders, resolutions, or sentences issued in accordance therewith.

3. When any one or more of the Confederate Republics shall receive of a foreign government, or of any of its agents, any insult or grave offense, whether directly or in the person of any of its diplomatic representatives, and no apology is made in due form by the said government when the same shall be demanded.

4. When adventurers or unauthorized persons shall, whether by their own means or under the protection of some foreign government, invade or attempt to invade with foreign troops, the territory of any of the Confederate Republics in order to intervene in the political affairs of the country, or to establish colonies or other settlements, thus impairing the independence, sovereignty or dominion of the respective republics.

ARTICLE 3

If any of the Confederate Republics should be the object of attack, offense or insult by any foreign Power in any of the cases suggested in the preceding article, and the government of the said republic should be unable to obtain a proper reparation or apology, the said government shall address itself to the Congress of Plenipotentiaries of the Confederate Republics and present to them a statement with proofs of the origin, development and status of the question, and the reasons why the time has arrived for the Confederate Republics to make common cause to vindicate the rights of that one which has been aggrieved. If the Congress of Plenipotentiaries should decide that the demand of the said republic is just, it shall communicate it to the governments of all the Confederate Republics in order that each one of them shall communicate with the

nation which shall have committed the aggression or inflicted the offense or insult, demanding the proper apology or reparation; and if this should be refused or evaded, without sufficient reason to justify such a procedure, the Congress of Plenipotentiaries shall declare that the *casus foederis* has arisen, and communicate it to the governments of the Confederate Republics for the purposes specified in Article 6 of this Treaty and in order that each one of them shall contribute with the contingent of forces and means allotted to it in the manner and terms decided by the said Congress.

If, in the case provided for in this article, the Congress of Plenipotentiaries should not be convened or about to be convened, the aggrieved republic shall present the aforementioned statement, together with the evidence in support of the same, to the governments of the other Confederate Republics, so that they may, taking into consideration the justice thereof, make the respective claims in order to obtain a proper reparation; and if the latter should be denied, the Congress of Plenipotentiaries shall meet without delay in order to declare whether the *casus foederis* has arisen so that appropriate measures may be taken after such a declaration to meet the situation.

ARTICLE 4

When the Congress of Plenipotentiaries of the Confederate Republics shall not deem just the demand made by one of them for an alleged injury received from another Power, or when a foreign Power, injured by any of the Confederate Republics, shall be unable to obtain from the latter a proper reparation which has been found just by the Congress of Plenipotentiaries, the latter shall invite the governments of the other Confederate Republics to interpose their joint mediation and good offices in order to obtain a peaceful settlement; but if the latter should not be attained and, on that account, war should break out between the two nations concerned, the other Confederate Republics shall remain neutral in the struggle.

ARTICLE 5

If before the Congress of Plenipotentiaries of the Confederate Republics should pass upon the request for assistance made by any of the republics, the territory of the latter should be invaded by enemy forces and the governments of the other Confederate Republics should declare that such an invasion is unjust and that there

was a common danger caused by the same, they shall have power to extend the needed assistance, just as if it had been decreed by the Congress of Plenipotentiaries.

ARTICLE 6

Upon communication to the governments of the Confederate Republics of the fact that the Congress of Plenipotentiaries has declared that the *casus foederis* has arisen to proceed against some foreign Power if the latter should have committed any aggression or opened hostilities on one or more of the said republics, all the said republics shall consider themselves as in a state of war with the said Power; and in consequence, they shall break all kinds of relations with it and none of the Confederate Republics shall admit, during the course of hostilities, any kind of commodity, natural or manufactured, from the territory of the enemy Power.

The citizens or subjects of the enemy nation to be found in the territory of the Confederate Republics shall leave the same within six months, if they should hold real estate in the country, and within four months if otherwise; except in such cases as former treaties shall otherwise have provided.

If the Power against whom the forces of the Confederate Republics are to be used in virtue of the declaration of the Congress of Plenipotentiaries should not have committed any aggression, nor opened hostilities against any of the said republics, the governments of the latter shall in due form declare war against it in order to give effect to the provisions of this article.

ARTICLE 7

The Confederate Republics declare that they have a perfect right to the preservation of the boundaries of their territories as those of the respective vice-royalties, captain-generalships or presidencies into which Spanish America was divided at the time of their independence from Spain; and in order to mark out the said boundaries wherever no demarcation exists in a natural and precise manner, they agree that in such cases, the governments of the republics concerned shall appoint commissioners who shall meet and recognizing, in so far as possible, the territory in question, shall determine the boundary line of the republics following the dividing lines of watersheds, the thalweg of rivers or other natural boundaries whenever circumstances shall permit; and for that purpose they shall make

the necessary changes and compensation in lands in such a manner as shall best meet the mutual convenience of the republics. If the respective governments do not approve the demarcation made by the commissioners and the latter could not agree upon the same, the matter shall be submitted to the arbitration of some of the Confederate Republics or of any free nation, or of the Congress of Plenipotentiaries.

The republics which were parts of one and the same State at the time of the proclamation of independence and seceded after 1810, shall retain the boundaries which have been recognized to them, subject to the provisions of the treaties which have been or may be concluded for the purpose of changing or perfecting them in accordance with the present article.

The stipulations of this article shall not impair the obligations of the boundary treaties or agreements concluded by some of the Confederate Republics, nor shall they affect the liberty of these republics to settle among themselves their respective boundaries.

ARTICLE 8

If an attempt should be made to unite two or more of the Confederate Republics in one single State or to divide into various States some of the said republics, or to segregate from one of them in order to annex it to another of the same republics or to a foreign Power, one or more ports, cities or provinces, belonging thereto, it shall be necessary for such a change to have effect, that the government of the other Confederate Republics shall declare expressly by themselves or through their plenipotentiaries in Congress that the said change is not injurious to the interest and security of the Confederation. . . .

ANNEX XXIV

CONTINENTAL TREATY BETWEEN PERU, CHILE, AND ECUADOR,
SIGNED AT SANTIAGO, SEPTEMBER 15, 1856¹*In the name of the Most Holy Trinity*

The Republic of Peru, the Republic of Chile and the Republic of Ecuador, desirous of cementing, upon solid bases, the union existing among them as members of the great American family, bound by common interests, origin, similarity of institutions, and many other ties of fraternity, and strengthening the relations among the people and citizens of each of them, removing the obstacles and restrictions which may embarrass them, and with the purpose of giving, through this union, encouragement and support to the moral and material progress of each and all of the Republics and greater impulse to their prosperity and aggrandizement, as well as new guarantees respecting their independence and nationality and the integrity of their territory, have deemed as conducive to these ends to conclude a Treaty of Union among them, and with the other American States which shall agree to adhere to it, and for this purpose have appointed their respective plenipotentiaries, as follows: . . .

ARTICLE 13

Each of the contracting parties agrees not to cede or alienate in any form, to another State or Government, any part of its territory, nor to permit therein the establishment of a nationality foreign to the one in present control therein, and agrees not to recognize any other which under any circumstances may be established therein with that character.

This stipulation shall not prevent such cessions as the said contracting States shall make to each other to regulate their geographical demarcations and to fix natural boundaries to their territories or to determine with mutual advantage their boundaries.

ARTICLE 14

Each of the contracting States agrees and promises to respect the independence of the others, and, in consequence, to prevent in their territory, by all means in their power, the collection or preparation

¹ Extract. R. Aranda, *Congresos y conferencias internacionales*, vol. I, p. 228. See also *International American Conference*, vol. IV, p. 207.

of elements of war, the enlisting or recruiting of soldiers, the storage of arms or equipping of vessels for hostile operations against any of the others, and to prevent political *émigrées* from abusing the privilege of asylum, laboring or conspiring against the established order in the said State or against its Government.

In case the said *émigrées* or refugees should give just reasons for alarm to a State, and the latter should demand their internment, they shall be taken away from the frontier or from the coast to a distance sufficient to dispel every suspicion or prevent them from continuing to be a just cause of unrest and alarm.

ARTICLE 15

Whenever expeditions or aggressions shall be directed against any of the contracting States by land or naval forces from a foreign country, whether the said forces are composed of natives of the State against which they are directed, or foreigners, and do not act as forces of a recognized State or Government *de facto* or *de jure*, or have no commission to perform acts of war, conferred by a Government also recognized, they shall be deemed and treated by all the contracting States as piratical expeditions, and those who shall participate in them shall be subject, in their respective territories, to the piracy laws, when committing acts of hostility against any of the said States or their vessels, or if while being attacked by the forces of any of the contracting States they should not surrender upon a second warning. . . .

ARTICLE 20

For the purpose of consolidating and strengthening the union, developing the principles upon which it is established, and adopting the measures demanded by the execution of some of the stipulations of this Treaty, which calls for ulterior provisions, the high contracting parties agree to appoint a Plenipotentiary each, and that these Plenipotentiaries in Congress assembled, shall represent all the States of the Union for the purposes of this Treaty.

The first meeting of the Congress of Plenipotentiaries shall be held three months after the exchange of ratifications of this Treaty, or before if possible, and shall continue to meet in the future at least once every three years.

It shall meet at the capitals of the contracting States in succession, according to the order which shall be fixed at the first meeting.

ARTICLE 21

The Congress of Plenipotentiaries shall have the right and sufficient authority to offer its mediation through the person or persons to be designated from its own members, in case of dispute between the contracting States, and none of them shall refuse to accept the said mediation.

If the Congress should not be in session when the disputes arise, the Government whose Minister Plenipotentiary may have been the last President shall proceed to call a meeting of the said Congress in order that the latter shall make the designation. The same procedure shall be followed when for other causes the Congress of Plenipotentiaries may be called and assembled.

ARTICLE 22

The Congress in no case and under no circumstances whatever may take as the subject matter of its deliberations, the internal disturbances, movements or agitations of the various States of the Union, nor pass any resolution to exert any influence on those movements, so that the independence of each State in the matter of organizing and governing itself as it shall deem best shall be fully respected without direct or indirect interference through the proceedings, resolutions or declarations of the Congress.

ARTICLE 23

The present Treaty shall be immediately communicated, after the exchange of ratifications, by the Governments of the contracting Republics, to the other Spanish-American States and Brazil, which may join the Union hereby established, and shall be bound by all its stipulations, upon concluding a Treaty for its acceptance with any of the signatories of the present Treaty. . . .

ANNEX XXV

TREATY OF UNION AND DEFENSIVE ALLIANCE BETWEEN BOLIVIA,
THE UNITED STATES OF COLOMBIA, CHILE, ECUADOR, PERU,
SALVADOR, AND VENEZUELA, SIGNED AT LIMA, JANUARY 23,
1865¹

In the Name of God

The States of America hereafter mentioned desiring to unite in order to provide for their external security, to strengthen their relations, to guarantee peace between them, and to promote other common interests, have resolved to prepare for those objects by means of international Pacts, of which the present is the first and cardinal one. For this purpose full powers have been granted as follows: for Bolivia to Juan de la Cruz Benavente, for the United States of Colombia to Justo Arosemena, for Chile to Manuel Montt, for Ecuador to Vicente Piedrahita, for Peru to José Gregorio Paz-Soldan, for Salvador to Pedro Alcantara Herran, and for the United States of Venezuela to Antonio Leocadio Guzman. And the Plenipotentiaries having exchanged and found their Powers sufficient and in due form, have agreed to the following stipulations:

ART. I. The High Contracting Parties unite and ally themselves for the objects above mentioned, and mutually guarantee the independence, sovereignty, and integrity of their respective territories, binding themselves in the terms of the present Treaty to defend each other against all aggression that may be for the purpose of depriving any of them of any of the rights herein expressed, whether it come from a foreign Power, or from any of the parties allied by this Pact, or from foreign forces not obeying a recognized Government.

II. The Alliance herein stipulated shall produce its effects when there is a violation of the rights expressed in Article I, and especially in cases of offense which consist of:

1st. Acts intended to deprive any of the Contracting Nations of a part of their territory with the intention of appropriating their dominion, or ceding it to another Power.

2nd. Acts intended to annul or vary the form of Government, the political Constitution or laws that any of the Contracting Parties may pass, or have passed in the exercise of their Sovereignty; or that

¹ *British and Foreign State Papers*, vol. 58, p. 420. See also *International American Conference*, vol. IV, p. 209.

may be for the purpose of violently altering their internal management, or of imposing authorities upon them in the same manner.

3rd. Acts intended to submit any of the Contracting Parties to a protectorate, sale or cession of their territory, or to establish over them any superiority, right, or pre-eminence that may depreciate or injure the ample and complete exercise of their sovereignty or independence.

III. Each of the Allied Parties will decide for itself whether the injury offered to any one of them is comprised in those enumerated in the foregoing Articles.

IV. The *casus foederis* being declared, the Contracting Parties bind themselves to stop immediately their relations with the aggressive Power, to give passports to its public Ministers, to cancel the Commissions of its Consular Agents, to prohibit the importation of its natural products and manufactures, and to close the ports to its ships.

V. The same parties will also appoint Plenipotentiaries who shall conclude the necessary agreements to determine the contingents of forces and the assistance, by land or sea, or of any other kind, which the Allies are to give to the nation offended, the manner in which the forces are to operate, and the other assistance to be rendered, and all that may be necessary for the success of the defense. The Plenipotentiaries will meet in the place that the offended party may desire.

VI. The High Contracting Parties bind themselves to supply to the one which may be attacked, the means of defense which each may consider it can dispose of, even though the stipulations mentioned in the previous Article may not have been carried out, should the case be, in their opinion, urgent.

VII. The *casus foederis* being declared, the party offended cannot enter into arrangements of peace, or for a truce without including in them the Allies who may have taken part in the war, and may be willing to accept them.

VIII. If, which God forbid, one of the Contracting Parties should infringe the rights of another, guaranteed in this Alliance, the others shall proceed in the same way as if the offence had been committed by a foreign Power.

IX. The High Contracting Parties bind themselves not to concede to nor accept from any nation or Government any protectorate or superiority that may diminish their independence or sovereignty, and they also bind themselves not to dispose to another nation or Gov-

ernment of any part of their territory. This stipulation does not however prevent the conterminous parties from making such cessions of territory as they may see fit for the better demarcation of their limits or frontiers.

X. The High Contracting Parties bind themselves to appoint Plenipotentiaries to meet every 3 years approximately, and adjust the necessary Pacts to consolidate and perfect the Union established in the present Treaty.

A special resolution of the present Congress shall determine the day and the place in which the first assembly of Plenipotentiaries is to meet, which shall make the like appointment for the next, and so on until the expiration of the present Treaty.

XI. The High Contracting Parties shall solicit collectively or separately that the other States, which have been invited to the actual Congress, adhere to the said Treaty, and from the time that the said States declare their formal acceptance, they shall have the rights and obligations that proceed from it.

XII. This Treaty shall continue in full vigour for the term of 15 years from the day of this date; and, this time having expired, any of the Contracting Parties may on their part put an end to it by an announcement to that effect to the others 12 months previously.

XIII. The exchange shall be made in the city of Lima within the term of two years, or sooner, if possible.

In faith whereof we the Ministers Plenipotentiary sign the present, and seal it with our respective seals, in Lima, the 23rd day of January, in the year 1865.

TREATY FOR THE PRESERVATION OF PEACE BETWEEN PERU, BOLIVIA,
COLOMBIA, CHILE, ECUADOR, SALVADOR, AND VENEZUELA,
SIGNED AT LIMA, JANUARY 23, 1865 ¹

In the name of God

The American States which, according to the Treaty of Union and Alliance of this same date, have united for various purposes, being represented by the Plenipotentiaries who signed the said Treaty, whose powers were exchanged and found in due form, namely: for Peru, don José Gregorio Paz Soldán; for Bolivia, don Juan de la Cruz Benavente; for the United States of Colombia, don Justo Arosemena; for Chile, don Manuel Montt; for Ecuador, don

¹ Extract. R. Aranda, *Congresos y conferencias internacionales en que ha tomado parte el Peru*, vol. I, p. 424.

Vicente Piedrahita; for Salvador, don Pedro Alcántara Herrán, and for Venezuela, don Antonio Leocadio Guzmán, have agreed to the following stipulations:

ARTICLE I

The High Contracting Parties solemnly agree not to commence hostilities against each other, even as a compulsory measure, and never to have recourse to arms as a means of settling their differences, arising from facts, not included in the *casus foederis* in the Treaty of Defensive Alliance signed on this same date. On the contrary, they shall exclusively use all peaceful means to settle those differences, submitting them to the unappealable decisions of an Arbitrator, in case they cannot settle them otherwise. Boundary disputes are included in these stipulations. . . .

ARTICLE 6

Each of the Contracting Parties agrees to prevent by all means in her power the preparation or collection in her territory of all elements of war, the enlisting or recruiting of soldiers, and the equipping of vessels for the purpose of hostile attack against any of the other signatory or adhering Powers. They also agree to prevent political emigrants or refugees from abusing the asylum, or conspiring against their home Government.

ARTICLE 7

Whenever the said political emigrants or refugees shall give just cause for complaint to the Power from which they come or to another one bordering on the Power where they reside they shall be removed from the frontier to a sufficient distance to dispel all fear, provided the Powers which feel thus threatened shall demand their internment upon convincing documentary evidence.

ARTICLE 8

The High Contracting Parties agree not to permit the passage through their territory of troops, arms and war material intended for attack against one of them.

ARTICLE 9

The Contracting Parties also agree not to permit the vessels or fleets of such Nations as may be in a state of war with any of the

signatory Powers of the present Treaty, to make provision of war material in the ports of the said Contracting Parties; nor shall they permit the careening of the said war vessels, and less allow them to lay in wait in the same ports for purposes of attack against the nation with which they are in a state of war or declared hostility.

ARTICLE 10

The High Contracting Parties shall endeavor, collectively or individually, to have the other States which have been invited to the present Congress to adhere to this Treaty, and from the moment that the said States shall declare to all of them their formal acceptance, they shall have the rights and obligations which are derived therefrom.

ARTICLE 11

This Treaty shall remain in full force for the term of fifteen years from the date of its signature and afterwards any of the Contracting Parties may on its part terminate it by giving to the other Contracting Parties a notice of twelve months in advance.

ARTICLE 12

The exchange of ratifications of this Treaty shall be made at the city of Lima within two years or before, if possible; and shall come into force among the Contracting Parties in the order of such exchange.

In faith whereof, we, the Ministers Plenipotentiaries, sign the present and seal it with our respective seals in Lima, the 23d day of January in the year of our Lord 1865.

ANNEX XXVI

TREATY OF ALLIANCE BETWEEN BRAZIL, THE ARGENTINE CONFEDERATION, AND URUGUAY, SIGNED AT RIO DE JANEIRO, JANUARY 2, 1859¹

ART. IV. The Empire of Brazil and the Argentine Confederation, renewing and strengthening the obligation contracted by the Convention of Peace, of 27th August, 1828, and by subsequent agree-

¹ Extract. *British and Foreign State Papers*, vol. 49, pp. 1236-7.

ments, consider and declare themselves perpetually obliged to defend the independence and integrity of the Oriental Republic of the Uruguay.

ART. V. And in order to fix the extent of the preceding Article, the High Contracting Parties declare that:

The independence of the Oriental Republic of the Uruguay is to be considered as attacked:

1. In the case of declared conquest.
2. If any foreign nation, either by itself or in alliance with, or rendering aid to an internal revolution, should attempt to change the form of its government.
3. If any foreign nation, either by itself or in alliance with, or rendering aid to an internal revolution, should attempt to impose the person or persons who are to govern the Republic.

And the integrity of the Oriental Republic of the Uruguay is to be considered as attacked:

1. By the occupation of the whole or any part of the territory of that Republic by any other nation, with the object of possessing it as its own property, or to unite it to its other possessions, whatever may be the ground alleged for that object.
2. By the separation of any portion of its territory for the creation therein of independent governments, repudiating the sovereign and legitimate national authority.

ANNEX XXVII

RESOLUTION OF THE CHILEAN CHAMBER OF DEPUTIES OF 1864¹

SOLE ARTICLE. The Republic of Chile does not recognize as conforming to American international law acts of European intervention in America, or governments which may be constituted by virtue of such intervention, even in the event the latter may be requested; nor shall it recognize any agreement of protectorate, cession or sale, or of any other kind which may impair the sovereignty or the independence of an American State in favor of European Powers, or which may have for its object to establish a form of government contrary to the republican representative form adopted by Spanish America.

¹ J. V. Lastarria, *La América* (Editorial-América, Madrid), vol. 1, pp. 182-3.

ANNEX XXVIII

MESSAGE OF THE PRESIDENT OF MEXICO, PORFIRIO DIAZ, ON THE
OPENING OF CONGRESS, MEXICO, APRIL 1, 1896 ¹

With our northern neighbour our intercourse is of the same friendly and cordial character as our diplomatic and other relations with that country have been for some years past, strengthened, as those relations are, by the growth of common interests which unite the two nations in bonds more solid than the steel rails that weld their traffic systems.

Among the incidents related to that great Republic, which, since the date of my last Address, have most powerfully attracted the attention and aroused the interest of American nations, there is one as to which reasons of national self-respect and expediency constrain me to say a few words. In connection with an old boundary dispute between Venezuela and the territory known as British Guiana, a dispute, recently aggravated by circumstances into which it is not desirable to inquire, the President of the United States of America sent a message to the American Congress reaffirming, as applicable to the controversy in question, the famous opinion or doctrine enunciated in a similar document by President Monroe, and which, since 1823, has been so popular among the people of America. Naturally, the evocation of that doctrine which condemns all attempts at European aggression and all tendencies to modify the Republican institutions of the New World in a Monarchical direction, aroused great enthusiasm among the free nations of this continent and gave occasion for demonstrations of sympathy both popular and governmental.

Invitations of an international character were not lacking that the Mexican Government should at once state its opinion in so grave a matter. But the Executive considered that haste was not proper in expressing an opinion as to a subject which involved not only the Monroe doctrine, but also its applicability to the concrete case of the controversy between Great Britain and Venezuela. As we were not acquainted with that question, as perhaps the United States, specially informed by the Venezuelan Government, is acquainted with it, we were not in a position to assume that the claims of England necessarily constituted an attempt at usurpation. Nor could we consider that every boundary dispute, in its essence, even though

¹ Extract. *British and Foreign State Papers*, vol. 89, pp. 229-31.

involving debatable points, afforded ground for the application of the wise doctrine in question.

On the other hand, the simple fact that England had refused to submit to arbitration her rights to a part of the disputed territory, while accepting it for the rest, was not, in our opinion, a sufficient ground for unfavourable presumptions, seeing that the Mexican Government has declared on more than one occasion that it will not accept arbitration for certain territorial questions especially affecting the honour of the nation. For these reasons, I declined to make any public statement to the press with regard to a question which affected the interests and most delicate sentiments of three nations equally entitled to our esteem. I simply stated that I was in favour of the Monroe doctrine rightly interpreted, but that I did not know whether it was applicable to the concrete case in question.

Now that, happily, and as was to be expected, the crisis has passed which seemed to threaten war between the two great nations into which the Anglo-Saxon race is divided; now that our sister Republic of Venezuela is carrying on at Washington peaceful negotiations with her powerful adversary, I may not be out of place to accede to the desires of those persons who have requested the Mexican Government to state its opinion with regard to the Monroe doctrine. Without entering into discussions as to its origin and the historical circumstances which gave rise to its enunciation; without descending to particulars as to its proper limitations, marked out by its author and so prudently recalled by President Cleveland, the Mexican Government cannot but declare its partiality for a doctrine which condemns as criminal any attack on the part of the Monarchies of Europe against the Republics of America, against the independent nations of this continent, now all subject to a popular form of government. The whole of our history, and especially the efforts of our people to shake off the yoke of a foreign Empire, which was European both in its origin, form, and resources, the torrents of blood shed in that tremendous struggle, are a sufficient testimony to the world of our love of independence and our abhorrence of all outside interference.

But it is not our opinion that to the United States alone, in spite of the immensity of its resources, belongs the obligation of assisting the other Republics of this hemisphere against the attacks of Europe, if such attacks are still to be considered as possible, but for the attainment of the end to which we all aspire, each one of those Republics ought, by means of a declaration like that of President Monroe, to

proclaim that every attack on the part of a foreign Power with the view of curtailing the territory or the independence, or of altering the institutions, of any one of the Republics of America, would be considered by the nation making such declaration as an attack on itself, provided that the nation directly attacked or threatened in such manner bespoke the aid of the other nations opportunely.

In this manner the doctrine now called by the name of Monroe would become the doctrine of America in the fullest sense of the word, and, although originating in the United States, would belong to the international law of this continent. As to the means to reduce this idea to practice, this is not the place or time to discuss them.

ANNEX XXIX

THE DRAGO DOCTRINE: LETTER OF DR. LUIS M. DRAGO, MINISTER OF FOREIGN RELATIONS OF THE ARGENTINE REPUBLIC, TO MR. MÉROU, ARGENTINE MINISTER TO THE UNITED STATES, DECEMBER 29, 1902¹

BUENOS AIRES, *December 29, 1902.*

MR. MINISTER: I have received your excellency's telegram of the 20th instant concerning the events that have lately taken place between the Government of the Republic of Venezuela and the Governments of Great Britain and Germany. According to your excellency's information the origin of the disagreement is, in part, the damages suffered by subjects of the claimant nations during the revolutions and wars that have recently occurred within the borders of the Republic mentioned, and in part also the fact that certain payments on the external debt of the nation have not been met at the proper time.

Leaving out of consideration the first class of claims the adequate adjustments of which it would be necessary to consult the laws of the several countries, this Government has deemed it expedient to transmit to your excellency some considerations with reference to the forcible collection of the public debt suggested by the events that have taken place.

¹ *Foreign Relations of the United States, 1903, p. 1.*

At the outset it is to be noted in this connection that the capitalist who lends his money to a foreign state always takes into account the resources of the country and the probability, greater or less, that the obligations contracted will be fulfilled without delay.

All governments thus enjoy different credit according to their degree of civilization and culture and their conduct in business transactions; and these conditions are measured and weighed before making any loan, the terms being made more or less onerous in accordance with the precise data concerning them which bankers always have on record.

In the first place the lender knows that he is entering into a contract with a sovereign entity, and it is an inherent qualification of all sovereignty that no proceedings for the execution of a judgment may be instituted or carried out against it, since this manner of collection would compromise its very existence and cause the independence and freedom of action of the respective government to disappear.

Among the fundamental principles of public international law which humanity has consecrated, one of the most precious is that which decrees that all states, whatever be the force at their disposal, are entities in law, perfectly equal one to another, and mutually entitled by virtue thereof to the same consideration and respect.

The acknowledgment of the debt, the payment of it in its entirety, can and must be made by the nation without diminution of its inherent rights as a sovereign entity, but the summary and immediate collection at a given moment, by means of force, would occasion nothing less than the ruin of the weakest nations, and the absorption of their governments, together with all the functions inherent in them, by the mighty of the earth. The principles proclaimed on this continent of America are otherwise. "Contracts between a nation and private individuals are obligatory according to the conscience of the sovereign, and may not be the object of compelling force," said the illustrious Hamilton. "They confer no right of action contrary to the sovereign will."

The United States has gone very far in this direction. The eleventh amendment to its Constitution provided in effect, with the unanimous assent of the people, that the judicial power of the nation should not be extended to any suit in law or equity prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State. The Argentine Gov-

ernment has made its provinces indictable, and has even adopted the principle that the nation itself may be brought to trial before the supreme court on contracts which it enters into with individuals.

What has not been established, what could in no wise be admitted, is that, once the amount for which it may be indebted has been determined by legal judgment, it should be deprived of the right to choose the manner and the time of payment, in which it has as much interest as the creditor himself, or more, since its credit and its national honor are involved therein.

This is in no wise a defense for bad faith, disorder, and deliberate and voluntary insolvency. It is intended merely to preserve the dignity of the public international entity which may not thus be dragged into war with detriment to those high ends which determine the existence and liberty of nations.

The fact that collection can not be accomplished by means of violence does not, on the other hand, render valueless the acknowledgment of the public debt, the definite obligation of paying it.

The State continues to exist in its capacity as such, and sooner or later the gloomy situations are cleared up, resources increase, common aspirations of equity and justice prevail, and the most neglected promises are kept.

The decision, then, which declares the obligation to pay a debt, whether it be given by the tribunals of the country or by those of international arbitration, which manifest the abiding zeal for justice as the basis of the political relations of nations, constitutes an indisputable title which can not be compared to the uncertain right of one whose claims are not recognized and who sees himself driven to appeal to force in order that they may be satisfied.

As these are the sentiments of justice, loyalty, and honor which animate the Argentine people and have always inspired its policy, your excellency will understand that it has felt alarmed at the knowledge that the failure of Venezuela to meet the payments of its public debt is given as one of the determining causes of the capture of its fleet, the bombardment of one of its ports, and the establishment of a rigorous blockade along its shores. If such proceedings were to be definitely adopted they would establish a precedent dangerous to the security and the peace of the nations of this part of America.

The collection of loans by military means implies territorial occupation to make them effective, and territorial occupation signifies

the suppression or subordination of the governments of the countries on which it is imposed.

Such a situation seems obviously at variance with the principles many times proclaimed by the nations of America, and particularly with the Monroe doctrine, sustained and defended with so much zeal on all occasions by the United States, a doctrine to which the Argentine Republic has heretofore solemnly adhered.

Among the principles which the memorable message of December 2, 1823, enunciates, there are two great declarations which particularly refer to these republics, viz., "The American continents are henceforth not to be considered as subjects for colonization by any European powers," and " . . . with the governments . . . whose independence we have . . . acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

The right to forbid new colonial dominions within the limits of this continent has been many times admitted by the public men of England. To her sympathy is due, it may be said, the great success which the Monroe doctrine achieved immediately on its publication. But in very recent times there has been observed a marked tendency among the publicists and in the various expressions of European opinion to call attention to these countries as a suitable field for future territorial expansion. Thinkers of the highest order have pointed out the desirability of turning in this direction the great efforts which the principal powers of Europe have exerted for the conquest of sterile regions with trying climates and in remote regions of the earth. The European writers are already many who point to the territory of South America, with its great riches, its sunny sky, and its climate propitious for all products, as, of necessity, the stage on which the great powers, who have their arms and implements of conquest already prepared, are to struggle for the supremacy in the course of this century.

The human tendency to expansion, thus inflamed by the suggestions of public opinion and the press, may, at any moment, take an aggressive direction, even against the will of the present governing classes. And it will not be denied that the simplest way to the setting aside and easy ejection of the rightful authorities by European governments is just this way of financial interventions—as might be

shown by many examples. We in no wise pretend that the South American nations are, from any point of view, exempt from the responsibilities of all sorts which violations of international law impose on civilized peoples. We do not nor can we pretend that these countries occupy an exceptional position in their relations with European powers, which have the indubitable right to protect their subjects as completely as in any other part of the world against the persecutions and injustices of which they may be the victims. The only principle which the Argentine Republic maintains and which it would, with great satisfaction, see adopted, in view of the events in Venezuela, by a nation that enjoys such great authority and prestige as does the United States, is the principle, already accepted, that there can be no territorial expansion in America on the part of Europe, nor any oppression of the peoples of this continent, because an unfortunate financial situation may compel some one of them to postpone the fulfillment of its promises. In a word, the principle which she would like to see recognized is: that the public debt can not occasion armed intervention nor even the actual occupation of the territory of American nations by a European power.

The loss of prestige and credit experienced by States which fail to satisfy the rightful claims of their lawful creditors brings with it difficulties of such magnitude as to render it unnecessary for foreign intervention to aggravate with its oppression the temporary misfortunes of insolvency.

The Argentine Government could cite its own example to demonstrate the needlessness of armed intervention in these cases.

The payment of the English debt of 1824 was spontaneously resumed by her after an interruption of thirty years, occasioned by the anarchy and the disturbances which seriously affected the country during this period, and all the back payments and all the interest payments were scrupulously made without any steps to this end having been taken by the creditors.

Later on a series of financial happenings and reverses completely beyond the control of her authorities compelled her for the moment to suspend the payment of the foreign debt. She had, however, the firm and fixed intention of resuming the payments as soon as circumstances should permit, and she did so actually some time afterwards, at the cost of great sacrifices, but of her own free will and without the interference or the threats of any foreign power. And it has been because of her perfectly scrupulous, regular, and honest

proceedings, because of her high sentiment of equity and justice so fully demonstrated, that the difficulties undergone, instead of diminishing, have increased her credit in the markets of Europe. It may be affirmed with entire certainty that so flattering a result would not have been obtained had the creditors deemed it expedient to intervene with violence at the critical financial period, which was thus passed through successfully. We do not nor can we fear that such circumstances will be repeated.

At this time, then, no selfish feeling animates us, nor do we seek our own advantage in manifesting our desire that the public debt of States should not serve as a reason for an armed attack on such States. Quite as little do we harbor any sentiment of hostility with regard to the nations of Europe. On the contrary, we have maintained with all of them since our emancipation the most friendly relations, especially with England, to whom we have recently given the best proof of the confidence which her justice and equanimity inspire in us by intrusting to her decision the most important of our international questions, which she has just decided, fixing our limits with Chile after a controversy of more than seventy years.

We know that where England goes civilization accompanies her, and the benefits of political and civil liberty are extended. Therefore we esteem her, but this does not mean that we should adhere with equal sympathy to her policy in the improbable case of her attempting to oppress the nationalities of this continent which are struggling for their own progress, which have already overcome the greatest difficulties and will surely triumph—to the honor of democratic institutions. Long, perhaps, is the road that the South American nations still have to travel. But they have faith enough and energy and worth sufficient to bring them to their final development with mutual support.

And it is because of this sentiment of continental brotherhood and because of the force which is always derived from the moral support of a whole people that I address you, in pursuance of instructions from His Excellency the President of the Republic, that you may communicate to the Government of the United States our point of view regarding the events in the further development of which that Government is to take so important a part, in order that it may have it in mind as the sincere expression of the sentiments of a nation that has faith in its destiny and in that of this whole continent, at whose

head march the United States, realizing our ideals and affording us examples.

Please accept, etc.,

LUIS M. DRAGO.

ANNEX XXX

THE MONROE DOCTRINE AT THE FOURTH PAN AMERICAN CONFERENCE ¹

Having made these preliminary explanations, which are necessary for a perfect comprehension of what occurred at Buenos Aires to the Brazilian resolution, concerning the Monroe Doctrine, I will now enter upon the examination of the events to which this project gave rise and of the attitude which our delegation assumed on that occasion. In the middle of last July, the Brazilian Minister at Buenos Aires, his Excellency Señor Da Gama, explained to several members of the Chilean delegation that the late Ambassador of his country to the United States, his Excellency Señor Nabuco, had cherished the idea of presenting to the Conference at Buenos Aires a motion which would evidence the recognition by all the countries of America of the fact that the Monroe Doctrine had been beneficial to them. Nabuco had left in writing a formal declaration, which the Government of Brazil, out of respect to the memory of the great statesman, desired to present to the Conference without any change. His Excellency Señor Da Gama added that his government was desirous of counting in this move upon the co-operation of Argentine and Chile. The proposition, furthermore, was to be presented only in case the acquiescence of all the other delegations could be counted on beforehand, so that it would be approved without criticism. In order not to go outside of the program of the Conference, the motion was to be proposed, not as a declaration of principles, but as a testimonial of appreciation presented by Latin-America to the United States upon the occasion of the first centennial of its independence. The resolution of Nabuco, endorsed by the Brazilian delegation, was in these words: "The long period which has transpired since the declaration of the Monroe Doctrine, permits us to recognize in it a permanent factor

¹ Extract from article by Alejandro Alvarez in *Progress in Latin-America* (American Academy of Political and Social Science, Philadelphia, 1911), pp. 26-30.

making for international peace upon the American Continent. For this reason, while celebrating her first efforts towards independence, Latin-America sends to her Great Sister Nation of the North, an expression of her thanks for that noble and unselfish action which has been of such great benefit to the entire New World." Without any formal and concrete proposition having yet been placed by the Brazilian delegation before the Chilean delegation upon the question of the presentation in common of this project to the assembly, we members of the latter were in accord in considering the resolution, as framed, very categorical in its terms, especially in view of the confusion which I have shown to exist regarding what should in reality be understood by the Monroe Doctrine.

For my part, I presented to Señor Da Gama, simply as grounds for consideration, and not as the opinion of the Chilean delegation, another form of resolution, which in my judgment, obviated those objections, and which contained, along with a statement of the principles of the doctrine, a declaration of the fact that these principles had the support of the entire American Continent. My proposed resolution was couched in the following terms: "Since their independence, the nations of America have proclaimed the right thereby acquired of excluding European intervention in their internal affairs, and, also, the principle that the territory of the New World cannot be made the object of future colonization. These principles clearly formulated and solemnly expressed by President Monroe in 1823 constitute a factor which has contributed towards guaranteeing the sovereignty of the nations of this continent. Wherefore, Latin-America, celebrating the one hundredth anniversary of her independence, sends now to her Great Sister Nation of the North, the expression of her adhesion to that idea of solidarity, as in the past she joined her in proclaiming those principles and upholding them for the benefit of the entire New World."

Señor Da Gama found in this resolution a departure from that of Nabuco, which his government was desirous at all costs to preserve. Shortly afterwards, we personally agreed upon a new formula, which he was to submit to his government and which, when approved by it, was to be placed before the delegations of Chile and Argentine. This formula was as follows: "The long period which has transpired since the declaration of the Monroe Doctrine permits us to recognize in it a permanent factor making for external peace upon the American continent. It gave concrete and solemn expression to the aims of

Latin-America from the commencement of her political independence. For this reason, while celebrating the centennial of her first efforts towards independence, the nations represented in the Fourth Pan-American Conference send to their Great Sister Nation of the North, the expression of their adhesion to that noble and unselfish action, of such beneficial consequence for the New World."

Having consulted the Brazilian Government, his Excellency Señor Da Gama believed the time ripe to ask for the approval of this resolution by the delegations of Argentine and Chile. The members of the former, with two exceptions, expressed themselves in favor of it as drawn up. The Chilean delegation, for its part, attentively studied the proposed resolutions, and while entirely agreeing with the propositions of the Brazilian delegates, they yet believed that another formula must be sought which, while it brought the proposition within the program of the conference, did not lend itself to false interpretations by Europe, the United States, and the rest of America.

The proposition formulated by the Chilean delegation was the following: "Upon celebrating the centennial of their first efforts towards political independence, the nations represented in the Fourth Pan-American Conference send to their Great Sister Nation of the North the expression of their thanks and record their conviction that the declarations contained in the message of President Monroe met the aims of all America and contributed effectively to guarantee its independence."

The members of other delegations, in their turn, learned confidentially of the proposition which the Brazilian delegation were supporting and though in favor of the idea and motive which were guiding the Brazilian Government, they believed that it was necessary to make some additions in which it would be made clear that the Monroe Doctrine must not be understood as an impairment of the sovereignty of the Latin-American States. The point had been reached of formulating the additions which were to be made to the proposed resolution, inspired by a speech made by the Secretary of State, Mr. Root, at the third convention. And there were not wanting those who, in spite of these additions, thought that the motion was outside the program of the Conference, and that, while approving it, they might sanction along with it many acts of hegemony committed by the United States by which more than one country had felt its sovereign dignity to have been wounded.

This now considerably complicated the situation. The delega-

tion of the United States, consulted in regard to it, made it clear that it would be very acceptable for Latin-America to make the Monroe Doctrine hers; but that if in doing this she was going to create dissensions in the midst of the assembly, it was preferable to make no presentation at all. The Brazilian delegation thus realized that an unanimous assent to its views was not easy to obtain; for though every one agreed as to the basic reasons of the resolution, it was very difficult to reduce it to a brief form, and satisfactory to everybody. In view of this, the delegation did not insist upon pushing its project.

Therefore, in regard to the Monroe Doctrine at the Pan-American Conference of Buenos Aires, it may be said to have been clearly established:

1. That all the countries of America there represented were agreed that the Monroe Doctrine, as it was formulated in 1823, is in accord with the aims of the New World and forms a part of its public law;
2. That the delegation from Chile at all times manifested the greatest willingness to propose to the conference a resolution, concise and satisfactory, yet in conformity with the program of the conference.
3. That it was very difficult, nevertheless, to find a wording, which without exciting the susceptibility of Europe, would be satisfactory to all the countries of America, because there were various states which desired to see incorporated with the principles of that doctrine, other principles which might have reference to the policy of hegemony of the United States.
4. That the fact that this formula was not hit upon in no way signified that Brazil had received a diplomatic rebuff; and
5. That the Monroe Doctrine in its primitive form, was not disavowed in the Fourth American International Conference. It was not there a question of proclaiming the Monroe Doctrine, but only of recognizing a historical fact which during the past century has dominated the political life of the nations of the New World, and is to-day the basis of what may be termed American International Law.

ANNEX XXXI

FUNDAMENTAL RIGHTS OF THE AMERICAN CONTINENT ¹
(American Public International Law)

ARTICLE I

The States of America, while recognizing the universality of the society of nations and of the rules which govern it, declare however that they have the right—which has been affirmed from the very moment of their emancipation—to establish by mutual agreement the fundamental bases on which American international society must rest, in accordance with their historical past, their needs and their aspirations.

ARTICLE 2

The States of America declare also that such questions as are of a special American character must be regulated on our continent either in accordance with the generally accepted principles of international law, or by giving greater scope of development to these principles, or by creating new ones adapted to the special condition of our continent.

ARTICLE 3

The States of the American continent, being equal before the law, have the rights inherent in their independence and complete sovereignty: these rights as well as the right over their territory can be limited in no manner whatsoever to the profit of an extracontinental State, even with the consent of the American State.

ARTICLE 4

An extracontinental State cannot either directly or indirectly or through intermediaries, for any reason whatsoever, occupy even temporarily any portion of the territory of an American State for the purpose of exercising therein any acts of sovereignty, even with the consent of said State.

ARTICLE 5

An extracontinental State cannot intervene in the internal or external affairs of an American State against the will of the latter.

¹ The original French text is found in *Institut américain de Droit international, Acte final de la Session de la Havane, 22-27 janvier 1917* (New York, 1917), p. 76.

ARTICLE 6

All the States of America are solidary with respect to the defense and maintenance of the rights proclaimed in the preceding articles.

NATIONALITY

ARTICLE 7

Persons born on the territory of an American State are nationals of the said State, whatever may be the nationality of their parents.

The other cases of acquisition of nationality are left to the provisions of the constitutions or laws of the respective countries.

ARTICLE 8

Any person who returns to his State of origin in order to fix his residence therein with the intention of never returning to the State where he has been naturalized, shall be deemed to have renounced his naturalization and to have reacquired his original nationality.

Any person who resides in his country of origin for more than two years is presumed not to have the intention to return to the State where he has been naturalized. This presumption may be overcome by proof to the contrary.

ARTICLE 9

Naturalization can be granted in an American State only when the foreigner proves that by his naturalization he loses the nationality of his country of origin.

GENERAL DECLARATIONS

ARTICLE 10

The States of America in establishing the rights enunciated in the preceding articles, rights which their solidarity permits them to proclaim and maintain, declare that these rights are not conceived in a spirit of particularism. The States of America do not desire in the least to separate themselves juridically from the States of the other continents and especially of the European continent with which they are closely bound by interests of all kinds; on the contrary they fervently desire that all the States of the world may adhere to the said principles in order to be able to consecrate them as universal principles of international law.

PART II

DECLARATIONS OF STATESMEN AND OPINIONS OF PUBLICISTS OF LATIN AMERICA AND THE UNITED STATES IN REGARD TO THE MONROE DOCTRINE

1. LATIN AMERICA

Since the middle of the nineteenth century the statesmen and publicists of Latin America have not had clear ideas concerning the Monroe Doctrine and have frequently attacked it as being synonymous with a policy of imperialism and hegemony. This is largely due to the circumstance that Secretaries of State of the United States have obscured the declarations of Monroe of 1823 by invoking them to justify acts of imperialism and hegemony. Publicists of the United States, in their turn, have been guilty of the same confusion in treating this subject without taking into account the ideas of Latin America.

The declarations of the statesmen, as well as of the publicists of Latin America in this respect, may be divided into five categories:

(1) They give the Monroe Doctrine its true meaning and consider that it has been beneficial to America (Anderson, Drago, Lastarria, Dr. de la Plaza, Deputy Emilio Mitre, Senator Otero, and others).

(2) They confuse the Monroe Doctrine with the policy of imperialism and hegemony, and openly condemn it as an act of aggression on the part of the United States against the weak States of Latin America (Sáenz Peña, Pérez Triana, Carlos Pereyra, Policarpo Bonilla, García Calderón, Lima, and others).

(3) They treat the Monroe Doctrine in conjunction with the policy of imperialism and hegemony, with no other result than that of producing confusion in the mind of the reader. (This is the form in which nearly all the other publicists and professors of international law in Latin America treat the subject.)

(4) They make due distinction between the Monroe Doctrine and the policy of imperialism and hegemony (Planas Suárez, Alvarez).

(5) They declare that the Monroe Doctrine is outworn, that it has had its day, and that in any event well organized countries, especially Chile, Argentina, Brazil, Uruguay, and Peru, have no need of it. This was the reply made by the statesmen to Mr. Roosevelt during his tour of Latin America in 1913, when he spoke of the Monroe Doctrine (addresses of Dr. Zeballos of the University of Buenos Aires, Don Marcial Martínez of the University of Chile; Dr. Zeballos also in the *Revue générale*).

RICARDO J. ALFARO¹

It is a fairly general belief in Central and South America that all those events that have caused the aggrandizement of the United States or of its naval and military strength, at the expense of the territorial sovereignty of other nations—European as well as American—are directly attributable to the Monroe Doctrine. It is most common to hear or to read that the pronouncement made one hundred years ago is responsible for the annexation of Texas, for the Mexican War, and for the territorial cessions agreed upon as a consequence thereof. It is pointed out as the cause of the Clayton-Bulwer Treaty, which others have precisely branded as a violation of the principles laid down in 1823. And in the same trend of mind the Doctrine has been the cause of the Alaska purchase, the recognition of Cuban belligerency, the Spanish-American War, the acquisition of Porto Rico and the Philippines, the Platt Amendment, the Treaty of 1903 with Panama, the building of the Panama Canal, the annexation of Hawaii, the acquisition of the Samoan Islands and the intervention in Nicaragua, Santo Domingo and Haiti.

Now, as a matter of fact, whatever is wrong or right in connection with these events, the Monroe Doctrine is not responsible for them and indeed it has nothing to do with them. All of the above-mentioned acts could have taken place in the absence of the message of December 2, 1823. All of those acts are coincident with or caused by the natural process of growth of the nation which had its nucleus in the thirteen colonies. Once the independence of the United States was consolidated, the population increased in numbers and grew richer and richer by constant toil and energy amidst the blessing of peace. With the increase of the population came the necessity of more territory and the expansion to the West and to the South. In turn this territorial expansion created more and more wealth, more and more intellectual development, more and more influence, more and more naval and military strength, until today the nation is in the first rank as a power, is the creditor of the world and for that reason, to a great extent, the arbiter of its destinies.

I do not wish to convey the impression that I am here expressing approbation or disapproval of the American foreign policies during

¹ Minister of Panama to the United States. The following extract is taken from an address entitled *A Century of the Monroe Doctrine*, delivered before the American Academy of Political and Social Science at the sessions commemorative of the Centenary of the Monroe Doctrine, Philadelphia, November 30 and December 1, 1923. *The Annals*, Supplement to Vol. cxi, January, 1924.

the last hundred years. With the examination of this question, I am not concerned now. My point is that the acts I am referring to have nothing to do with the Monrovia dictum. As a matter of fact the territorial expansion of the United States began years before the presidency of Monroe. It had its inception in the peaceful and foresighted purchase of the Louisiana territory from France in 1803 and in the acquisition of the Floridas from Spain in 1819. The subsequent accessions of the Union were the result of facts and circumstances entirely extraneous to the pronouncement of 1823, as a careful perusal of their history will suffice to show.

It happens that the people of Latin-America do not feel, of course, very much concerned with the history of the United States, and the number of those who have a fairly deep knowledge of it is very limited. On the contrary, every Latin feels greatly interested in learning something about the Monroe Doctrine, of which he hears so frequently. The result is that with an inadequate basis of United States history there is divulged a great deal of literature about the Monroe Doctrine and American continental policy; and ideological confusion on one side and an attitude that oftentimes is openly biased on the other side, are responsible for a great deal of misdirected prejudice, apprehension and hatred. The peoples of Latin-America, especially those situated in the vicinity of the Caribbean Sea, have undoubtedly very serious and delicate problems to confront in their international intercourse with the United States. The discussion and solution of those problems may lead sometimes to popular discontent and mistrust towards the great Power of the North. But I maintain that it is wrong to put the blame for the unsatisfactory solution of an inter-American question upon the Monroe Doctrine, for it certainly was not intended to foster aggression or injustice on the part of the strong upon the weak. It must be borne in mind that the Monroe Doctrine is an American foreign policy, but the American foreign policy is not all Monroe Doctrine. . . .

It is futile to say that the Monroe Doctrine was an egoistical expression, aiming as it did, at the protection of the national interests of the United States. All human actions are egoistical—individual as well as national—but an action is commendable or hateful in proportion to the amount of good or evil it may produce to others. The fact is that the pronouncement of 1823, besides satisfying a vital necessity of national defense, has redounded to the benefit of

the Latin-American nations by defending them from those possibilities that have endangered their independent life.

I believe the hour approaches when the application of the Monroe Doctrine will be looked upon more as a subject of historical interest than as a problem of high concern. With the growing stability—political as well as financial—of the southern nations; with the increase of continental solidarity and the tightening of trade and intellectual bonds between Latin-Americans and Anglo-Americans; with the consolidation of the United States as a great power, whose attitude is decisive as to the momentous questions of the world; with the sovereign influence which public opinion exercises in the policies of civilized peoples and the continuous efforts of public associations, centers of education, jurists and publicists to enlighten that public opinion and promote the cause of international justice, there is every hope that within a few decades no more cases will arise where an enforcement of the principles laid down in 1823 will be necessary or where the same may be wrongfully invoked for any purpose. When that day will arrive, the principle will continue to live but the problems will cease to exist, and the Monroe Doctrine, exalted by its tradition of honor, justice and valor, will continue to receive in the forthcoming centuries the glorification to which it is entitled.

ALEJANDRO ALVAREZ¹

The Monroe Doctrine is not personal with regard to the United States; it represents the political and economic necessities of the American continent. If it has been considered a personal policy the reason for this is the fact that it is found condensed in the message of 1823 and that the United States has been its champion.

We must mention again the mistaken belief that the Monroe Doctrine has served its time, for no State seriously disputes any longer the principles proclaimed therein. If this is true it is also true that the principles enunciated in it were bound to develop in accordance with the political necessities of the American continent.

This development is therefore the result of new circumstances and not of the flexibility of the declarations of 1823. In this development the Latin States have not always followed in line with the United

¹ Extract from *Le Droit international américain* (Paris, 1910), pp. 145-84.

States nor even with each other. Some of them were so far removed that they found themselves in a Utopia. We must therefore consider as a development or amplification of the Monroe Doctrine only the cases in which there has been an agreement between the Latin States and the United States and in which the latter has been disposed to make the Doctrine effective. This agreement came about in a clear and precise manner for the purpose of avoiding the occupation in any way whatsoever by the States of Europe of parts of American territory or of avoiding attempts on the part of the European States to acquire parts of these territories or to place them under their protectorate.

The publicists not only have failed to see the true origin and nature of this Doctrine, not only have they misconstrued its significance, but they have also misunderstood its object.

Most of them believe that the United States has excluded European intervention in America for the purpose of substituting its own intervention. Others believe that the whole policy of the United States centers around the Monroe Doctrine and in their attempt to make this plausible they resort to veritable tricks of dialectics in order to show that certain cases which in reality represent hegemony or imperialism are either included in this Doctrine or not.

The truth is that the United States, while being an ardent defender of the Monroe Doctrine and its amplifications, has at the same time developed a personal policy which does not interpret and explain the sentiments of all America, namely, the policy of hegemony.

Hegemony consists of assuring its preponderance when its interests are at stake; accordingly it is a policy for its exclusive benefit. It consists also of intervention in certain internal or international affairs of some States. Furthermore, inspired by its present or future interests, it also pursues a noble object: the respect and good name of Latin America.

It intervenes in internal affairs by reason of a desire for peace which is advantageous to all; in international affairs it intervenes because of a desire for justice in favor of the weak States unjustly attacked and also in order to prevent them from committing with impunity acts that are reprehensible with regard to Europe.

This policy of hegemony is practiced almost exclusively on the countries that are the immediate neighbors of the United States, those bordering on the Gulf of Mexico (with the exception of Mexico) and those situated on the Caribbean Sea or located near it. This

fact has given rise to the saying, not without reason, that the United States has made "an American lake" of the Gulf of Mexico.¹

It seeks to expand in these regions its economic interests which are already more important than those of Europe; besides, these States are weak; internally they are constantly troubled by civil wars, the claims of the European States are numerous and sometimes followed by threats; the United States considers these acts as dangerous to its interest and to that of all America.

The policy of hegemony is the inevitable result of the tremendous and rapid development of the United States and of its enormous territorial, economic and maritime superiority as compared with the other American republics. What has contributed to the success of this policy is the fact that it has always presented it as a logical consequence of the Monroe Doctrine and that the powerful States, far from combating it, have always respected it. And it is interesting to state that, in certain cases in which the Monroe Doctrine might have been justly invoked, the United States did not do so and that on the other hand it invoked it for acts of hegemony in order to make them appear as being the outcome of a policy which is traditional and already admitted almost without dispute. It is this attitude which to a great extent has permitted the publicists to make no distinction between the two policies.

VII

Summing up our previous remarks, we may say that the policy developed by the United States upon the American continent has two distinct forms, which correspond to different situations.

The first is a policy of maintenance, application and development of the Monroe Doctrine. In these cases the United States, the most powerful State of the New World, has made itself the mouthpiece of the needs and aspirations of all America.

In the second case it is a personal policy. Sometimes it is in the interests of the United States alone, especially from the economic point of view, sometimes it is a logical consequence of the Monroe Doctrine, sometimes again its object is to maintain the state of peace in certain regions of the American continent.

In the first form of hegemony the object is exclusively for the benefit of the United States. In the second aspect it is especially a desire for justice either in favor of the weak State unjustly attacked

¹ A. Leroy-Beaulieu, p. xi of Coolidge, *Les Etats-Unis, Puissance mondiale* (Paris, 1908).

by a European State or in favor of the European State which, unable to employ measures of force of a territorial character against the American State because the Monroe Doctrine opposes, can not tolerate the violation of its rights or interests. In the third aspect the desire for peace benefits all; it is then a matter of prestige for the American continent to see to it that trouble is avoided, and at the same time for the State threatened with trouble to see to it that its internal peace is maintained by avoiding complications.

By acting as a champion of the Monroe Doctrine and its amplifications, and by exercising the hegemony in the three forms that we have just indicated, it is evident that the United States has its personal interest as its object. It is also undeniable that it considers and defends the interests of others. It is this circumstance which, over and above the first aspect of hegemony, forms to a great extent the importance, the force and the success of this policy.

We shall review the principal cases of application of each one of these policies . . .

VIII

FIRST CATEGORY.—Maintenance, application and development of the Monroe Doctrine

1. CASES OF MAINTENANCE AND APPLICATION OF THE MONROE DOCTRINE

A.—*To prevent the European States from subjecting American States to their domination*

Declaration of Secretary of State Buchanan in 1848 on the occasion of the expedition planned by General Flores to Ecuador;¹ declaration and attitude of the United States on the occasion of French intervention in Mexico in 1862–1866;² declaration of Secretary of State Seward on the occasion of the war of Spain against Chile and Peru (1864–1866);³ protest of the United States against reincorporation of the island of San Domingo by Spain (1861)⁴—the United States protested, although this reincorporation was effected by virtue of a treaty made with the Government of the island itself; declaration of the Government of the United States with regard to the dispute on the boundaries of Guiana between Venezuela and England in 1895—this case is one of application of the Monroe Doctrine in so far as it was a question of preventing England, under

¹ Moore, *A Digest of International Law*, vol. VI, p. 473.

³ *Ibid.*, pp. 445–46, 507.

² *Ibid.*, pp. 488 *et seq.*

⁴ *Ibid.*, pp. 515–18.

the pretext of boundaries, from taking gradually a more or less considerable part of Venezuelan territory, but it is a case of hegemony as far as the manner of intervention of the United States is concerned.

B.—*To prevent the European States from interfering in American affairs*

In this category must be placed the declaration of President Polk who, in his message of December 8, 1845, with regard to the annexation of Texas (a case of imperial policy), says: "Jealousy among the different sovereigns of Europe, lest any one of them might become too powerful for the rest, has caused them anxiously to desire the establishment of what they term the 'balance of power.' It can not be permitted to have any application on the North American continent, and especially to the United States. We must ever maintain the principle, that the people of this continent alone have the right to decide their own destiny. Should any portion of them, constituting an independent state, propose to unite themselves with our confederacy, this will be a question for them and us to determine, without any foreign interposition. We can never consent that European Powers shall interfere to prevent such a union, because it might disturb the 'balance of power' which they may desire to maintain upon this continent." ¹

In this category there must be placed also the proposal which England and France made in 1851 to the Government of the United States to sign a convention providing that no one of the three Powers should have exclusive control over Cuba, and to assure in this way the possession of Spain. The Washington cabinet refused by note of April 29, 1852, stating that the interests of the United States in Cuba were greater than those of Europe.

However in three other cases the United States has appeared to abandon the Monroe Doctrine on this subject, by signing the Clayton-Bulwer Treaty (1850) of which we shall speak below, and in 1862 and 1875.

In 1862 Colombia, by virtue of its treaty of 1846 with the United States, requested aid of the latter for the purpose of reestablishing order in the Isthmus of Panama. Secretary of State Seward requested the French and English Governments to unite with his Government in order to assure free transit on the Isthmus. The two

¹ Moore, *op. cit.*, vol. VI, p. 421.

European Governments excused themselves. Mexico protested to the United States, reproaching it with having wished to bring about the intervention of the European Governments in the affairs of America. In reply Seward declared that he shared the opinion of México, adding that the attitude of the United States had been incorrectly interpreted.

In 1875 in the course of an insurrection in Cuba, President Grant suggested the idea of a collective intervention with the European Powers in order to reestablish peace. But the proposal had no results . . .

2. CASES OF DEVELOPMENT OF THE MONROE DOCTRINE

A.—*Opposition of the United States to the acquisition by the States of Europe, under any title whatsoever, and even with the agreement of the American countries, of any portion of their territory or to the placing of any portion of territory under the protectorate of a foreign power*

As we have already mentioned, the message of 1823 contained among other things the declaration of the acquired right to independence, and of the fact that the American territory could not be acquired by occupation.

Later and because of the eagerness of Europe to acquire, no longer by occupation but by cession or act of war, a part of the American territory, the United States has felt the need of amplifying the declaration in the sense that every American State had an acquired right to territorial integrity as regards Europe.

These cases are as follows:

Declaration of President Polk in his message of April 29, 1848, on Yucatan. Yucatan had revolted against Mexico at the same time that a civil war had broken out in the country; its Government requested protection from the United States, England and Spain, offering to place itself under the protectorate of any one of these countries. In his message Polk demanded the military occupation and annexation of Yucatan in order to prevent it from coming under the rule of a European Power. Congress did not accept this point of view, and Yucatan remained with Mexico. The purpose proposed by Polk came under the category of imperialistic policy but, in the message requesting the authorization of annexation, he made a declaration which must be classed under the above formula.

The declaration of President Grant on May 31, 1870, proposing

the annexation of San Domingo. The purpose proposed also came under the head of imperialistic policy; but a part of the declaration is a case of development of the Monroe Doctrine; we read there in effect that no European Power can acquire by any means whatsoever, be it war, colonization or annexation, any part of the American territory, even when the interested people demands it.

Declaration of the United States in 1895, relative to the intention of Nicaragua to cede to England, as indemnity for the imprisonment of an English vice consul, the Island of Corn to serve as a coaling station.

B.—*Opposition of the United States to the more or less permanent occupation by a European State, even in consequence of a war, of any portion whatsoever of the American territory*

Declaration of President Van Buren made in 1840 that the United States would prevent by force the military occupation of Cuba by England.

Declarations of President Roosevelt on the occasion of the coercive action of England, Italy and Germany against Venezuela, which will be discussed below.

Declaration of President Roosevelt in his messages of February 15 and December 5, 1905, on the subject of his plans of financial intervention in San Domingo.

* * *

This form of policy of the United States includes only simple applications or examples of development of the Monroe Doctrine on which all the Latin States of the New World are in agreement with the United States, as is shown by the declarations of American statesmen, the pacts signed in the international congresses of the first era, the pacts signed by various States, the declarations of the parliaments, etc., and finally this circumstance that whenever one of the Latin States of America found itself in one of the situations coming under this first category it turned towards the United States and requested its aid.

These same States have all sought new amplifications of the Monroe Doctrine, especially of maintenance of their territorial integrity, not only with regard to Europe, but with regard to each other.

Although the desire of the republics of Latin America to have this integrity proclaimed as a rule in their dealings with each other has

been manifested in several congresses of the first period, and although the President of Mexico, Porfirio Diaz, returned to this idea in his message of 1896, this desire is less clear and less unanimous than that contained in the Monroe Doctrine and its consequent development. Moreover it has not found any echo either in the policy of the United States or in the diplomatic history of the Latin States of America in the course of which there have been wars followed by annexation of territory. The territorial expansion of the United States has been in open contradiction with these aspirations. Hence it is not an American principle.

We may also consider as a desire for amplification of the Monroe Doctrine the proposal of the Argentine Government known as the "Drago Doctrine" of which we shall speak.

IX

SECOND CATEGORY (Hegemony).—Policy of the United States with a view to assuring its preponderance in the New World and policy of intervention in certain foreign and internal affairs of some Latin-American States

1. POLICY OF THE UNITED STATES WITH A VIEW TO ASSURING ITS PREPONDERANCE IN THE NEW WORLD

This group forms the first aspect of the policy of hegemony.

A.—*Opposition of the United States to the transfer from one European State to another, under any title whatsoever, or to the acquisition by them, of the colonies which they possess in the New World, without the consent of the United States*

Declaration of Clay in 1825, to the Governments of France and England that the Union would not permit the transfer of Cuba and Porto Rico by Spain to other European States. In 1840, President Van Buren declared to Spain that the United States would prevent by force the military occupation of Cuba by England. In 1852, upon the occasion of disturbances in Cuba, Secretary of State Webster made the same declaration, among others, that Clay had made in 1825. President Grant repeated this declaration in 1870.

Nevertheless Sweden, by treaty of August 10, 1877, returned the island of St. Bartholomew to France without the permission of the United States and without its opposition. In spite of this isolated case a declaration similar to that of Clay would certainly have been made by the United States, if a weak European State had ceded to

a powerful European State a colony of the Caribbean Sea; such a cession would be interpreted by them as a danger.¹

B.—*Intervention of the United States at the time of establishment of any new State in America by emancipation, secession or any other cause*

Emancipation of Cuba and secession of Panama.

These facts which are important and of recent date deserve to be examined in greater detail.

(a) *Independence of Cuba*

Ever since 1795 the Government of the Confederation had realized the importance which the possession of Cuba had for it and the danger that would result if the island should pass into the possession of some country other than Spain. Secretary of State Adams declared in 1823 that before another quarter of a century the annexation of the Greater Antilles would be recognized as indispensable to the integrity of the Union and that it would be felt necessary to prevent their cession to Great Britain, even by force.

In 1825, in 1840, in 1852 and in 1870 the Government of the United States made the declarations with regard to Cuba which were considered above. In 1848 and 1853 it proposed to the Spanish Government the purchase of the island for \$100,000,000. Spain refused on two occasions, saying that a relinquishment of Cuba under these conditions would be tantamount to a relinquishment of its national honor. On the subject of this proposal the American Government named a commission composed of its three ambassadors at Paris, London and Madrid to study the conditions of the purchase. The commission met at Ostend and sent a communication to its Government, stating that Cuba in the hands of Spain was a menace to peace in America and that the United States had a great interest in acquiring the island. The commission advised that the purchase of the island be proposed to Spain and that if the latter should refuse the cession, the United States should seize Cuba by force.

From 1854 to 1867 the United States was occupied with other problems, especially the Civil War, and no longer paid any attention to Cuba.

In 1868 a great civil war broke out in Cuba in the course of which

¹ This policy which at first may appear extreme is not without precedents; in Europe the great Powers would certainly oppose such territorial cessions in the name of the balance of power.

the insurgents proclaimed the independence of the island. Several States of Latin America recognized this independence. The United States extended its good offices in order to bring it about that, if Spain would not recognize the independence of Cuba, it should at least grant the island considerable autonomy similar to that which England gave Canada. Spain announced to the Government of the United States that it was preparing reforms for Porto Rico which might be extended to Cuba when the state of insurrection had ceased.

The United States Government never wished to concede to the rebels the character of belligerents, although several proposals to this effect had been introduced in Congress. It could have made this concession all the more readily since at the time of the Civil War Spain had recognized the southern States as being belligerents. But the United States did not do so for reasons of good policy. The revolutionaries did not present sufficient characteristics to be recognized as a genuine government. To recognize them as belligerents would not only have imposed upon the United States the obligations of a neutral State but also would have meant the renunciation of the claims that it would have been able to present to the Spanish Government for damages caused to its nationals by the rebels. In his message of June 18, 1870, President Grant realized this point very well and he sets forth clearly and with very practical sense the conditions that the rebels must fulfil in order to acquire the quality of belligerents. The civil war lasted ten years and ended only with the pact of Zanjón on February 10, 1878, between the general government of the island and the central revolutionary committee.

By this pact Spain agreed to make certain concessions to Cuba. But the revolt did not cease completely, although Spain had introduced new reforms in 1880. Filibustering expeditions were constantly being organized on American soil.

In 1895 a new revolutionary movement broke out and in order to repress it Spain had recourse to cruel measures (*Reconcentraci3n*). In the following year the Government at Washington refused to concede the character of belligerents to the Cubans but offered its mediation to Spain. Spain refused and demanded, before granting any reforms, that the rebels should lay down their arms. A little later however it granted some of the measures of autonomy claimed by the Cubans. The rebels did not lay down their arms. The United States asked Spain to grant an amnesty to them but Spain refused. In 1895 the American vessel of war the *Maine*, sent to

Cuba to assure the protection of American citizens, exploded. Feeling ran high in the United States and an investigation was ordered, although the explosion took place in Spanish territorial waters. The Spanish Government also had an investigation conducted which brought about results contrary to those of the United States. Spain proposed in vain to resort to arbitration. The Pope offered his mediation without success and the representatives of six great Powers at Washington made a collective representation to the Government of the United States, also without success, inviting this Government to enter into new negotiations with Spain.

On April 20, 1898, the Government of the United States sent to the Spanish Government an ultimatum in which, in accordance with the resolutions of the two houses of Congress, it demanded the immediate relinquishment by Spain of its authority in Cuba; but it declared at the same time that it did not claim to exercise sovereignty or any control whatsoever over the said island except for the purpose of bringing about its pacification; once this object was obtained the sovereignty and government of the island would be left to the native population. The Spanish Government took this ultimatum as a declaration of war and declared the diplomatic relations between the two countries broken. The United States in turn officially declared war. The hostilities began. The fortune of arms was against Spain and Spain sought for peace. The treaty was signed at Paris on December 10, 1898. In Article 1 Spain renounced all sovereignty over Cuba and by Article 2 ceded to the United States the island of Porto Rico, and other islands at that time subject to it in the West Indies. . . .

In accordance with the treaty of peace the United States took possession of Cuba and soon organized the principal branches of the public service so that at the end of the year quiet reigned once more in Cuba and the country entered upon a period of prosperity.

The Government of the Union could not however become disinterested in the fortunes of the country in which its nationals had important interests and which it had always coveted because of its geographical location.

The American ideas of the future of Cuba were clearly shown when the Cuban governor called his people together on September 15, 1900, in order to elect an Assembly charged with drawing up the constitution of the island and regulating its relations with the United States. The provisions fixing these relations were to be part of the

constitution. The Cubans did not accept this latter idea with good grace and the constitution of February, 1901, did not even mention the United States. The American Congress did not tolerate this conduct. It adopted what is known as the Platt Amendment. According to this amendment the American army was not to abandon Cuba until after there had been added to the constitution five additional articles which in reality would establish the protectorate of the United States. The Cuban Assembly submitted, but not completely. It adopted the five articles but accompanied them with commentaries based upon declarations made by the Secretary of War to the Cuban delegation after the adoption of the Platt Amendment. The American Congress did not accept this mode of procedure and the five articles were inserted in the constitution without the accompanying commentaries. Article 3 of the supplement to the Cuban constitution expressly granted to the United States the right to intervene in the country not only for protecting its independence but also for maintaining public order.

In this way the United States wished to prevent the island from passing through the crises which the other Latin-American republics had experienced in the period immediately following their liberation. The United States wanted peace to reign in Cuba from the very beginning, not only for the good of the island and the American continent but also for the security of its own interests.

In May, 1902, Cuba was evacuated by the United States and on May 23, 1903, it entered into a perpetual treaty with the latter which amounted to a considerable restriction of Cuban independence. Among other provisions the United States is authorized to protect the independence of Cuba, which can not enter into any treaty with other countries that might affect its independence. Furthermore the United States reserved the right of maintaining naval stations upon the island.

(b) Secession of Panama

The secession of Panama is closely connected with the building of the interoceanic canal, of which we shall speak below.

C.—*Claim of the United States that it is the sole arbiter and sole guardian of all ways of communication connecting the two oceans between Panama and the United States*

Since the beginning of the nineteenth century the United States has been concerned in establishing ways of communication on land

and sea between the two oceans and especially an interoceanic canal which was to be neutral. In spite of its efforts it succeeded in concluding only three treaties, one in 1848 with New Granada, another on April 9, 1850 with England, this being known as the Clayton-Bulwer Treaty, and one in 1867 with Nicaragua.

The treaty of April 9, 1850, was made with England, which also planned to construct a canal under its control, believing at that time that it should pass through Nicaragua.

This treaty is opposed to the Monroe Doctrine for in it the United States recognizes the claim of England to exercise a protectorate over the Mosquito territory, a claim later disputed by the United States. It is also opposed to the Monroe Doctrine because the United States agrees with England to assure the neutrality of the projected canal.

But after that date and especially since 1870, the claims of hegemony on the part of the United States over the future canal are manifested.

The United States undertook to bring about the abrogation of the Clayton-Bulwer Treaty in order to bring the canal under its exclusive control. The attitude of the United States became particularly categorical when in 1878 Colombia granted to a French company the right to pierce the Isthmus of Panama. President Hayes in his message of March 8, 1880, said: "The policy of this country is a canal under American control. The United States can not consent to the surrender of this control to any European power or to any combination of European powers." He added that an interoceanic canal would be so important for the Atlantic and Pacific coasts of his country that it would constitute "a part of the coast line of the United States." And he declared finally that he would consider it a right and a duty for his country to proclaim and maintain its supervision and authority over the interoceanic canal of America.

President Garfield, who succeeded Hayes, repeated the same ideas. In 1881 Secretary of State Blaine, in a message to the ambassador at London, insisted upon the idea that the projected canal should be considered a part of the coast of the United States and he declared once more that his Government would oppose any joint action of the European Powers having as its object to protect the canal or determine its regulation.

On November 19 of the same year Mr. Blaine sent a special message to the London cabinet wherein he made certain observations on

the Clayton-Bulwer Treaty and proposed to introduce into it modifications that would be equivalent to its complete abrogation. The treaty, he said, is very old and the situation under which it was made has completely changed; furthermore the United States could not agree perpetually to any treaty contrary to its right and long-established claim to supremacy on the American continent. Mr. Blaine proposed that the United States might fortify the canal and at the same time control it jointly with the nation having the sovereignty of the territory traversed.

An exchange of notes took place after this communication. In one of these notes the British Government laid stress upon certain points of the declaration of the United States and in particular upon the idea that the canal would form part of the coast of the United States. It showed that this claim could constitute a menace to the independence of the country over whose territory the canal would pass. In its opinion the only means of settling the matter was to invite all the maritime States to participate in a convention based on the principles of the Clayton-Bulwer Treaty. In response to this note the American Government insisted on the point that the treaty was not binding upon it because it had been made with a view to a special object not yet accomplished. It added that to permit the European nations to exercise a protectorate over the Isthmus would be contrary to the Monroe Doctrine, a doctrine that had been admitted by the British Government itself.

England refused to modify the treaty and the United States did not insist for the time being, but, taking advantage of England's difficulties in the Boer War, it resumed the negotiations for the abrogation of the Clayton-Bulwer Treaty.¹ On February 5, 1900, the Hay-Pauncefote Treaty was signed abrogating it. The United States undertook by this treaty to maintain a perpetual neutrality on the canal and to keep it open continually to international commerce.

The Senate of the United States made modifications in this treaty which were not accepted by the British Government and a new treaty was signed by the same persons on November 19, 1901, according to Article 3 of which the canal was neutralized under the same conditions as the Suez Canal had been by the convention of October 29, 1888.

When the United States had to decide upon one of the two routes

¹ Moore, *op. cit.*, vol. III, pp. 130-262.

which were possible for the interoceanic canal, namely, Nicaragua or Panama, the American Senate decided in favor of the latter.

On January 22, 1903, the Hay-Herrán Treaty was signed between the United States and Colombia, the latter country having the sovereignty over the territory of Panama. According to the terms of this treaty the United States obtained from Colombia the right to buy up the concession that Colombia had granted to the new Panama Company, as well as the right itself to construct the canal. The Colombian Congress refused to ratify this treaty, whereupon the province of Panama revolted and proclaimed its independence on November 3, 1903. In this movement it was greatly aided by the moral support of the United States, the first to recognize its independence.

Almost immediately, on November 18, a convention was made between the United States and Panama, namely, the Hay-Bunau Varilla Treaty, whereby the United States acquired for an indemnity of \$10,000,000 and a certain sum to be paid annually, a strip of territory in Panama five miles in breadth on each side of the median line of the future canal and extending three miles out into each ocean. Thus the canal passed through American territory. Panama granted to the United States the sovereignty of the islands situated within the indicated zone and the other islands in the Bay of Panama, but the cities of Panama and Colon and the adjacent ports were not included in the concession. The canal and its mouths are to be perpetually neutral, according to the conditions of the treaty of November 18, 1901, between England and the United States. The latter guaranteed the independence of Panama. Colombia lodged complaint with the Government at Washington with regard to its attitude in the secession of Panama. . . .

The negotiations on the subject of the Panama Canal and the liberation of this country are good examples of how far the policy of hegemony pursued by the United States can go. First of all, just as in the case of Cuba, it maintains a sort of protectorate over the country while leaving it its autonomy, in order the better to maintain its independence and to guarantee internal order.

Article 136 of the constitution of Panama grants to the United States in effect the right to intervene for the purpose of reestablishing order in case by virtue of a treaty it assumes, or may have assumed, the obligation of guaranteeing the independence or the sovereignty of the republic.

On the other hand the United States has established in the interior of Panama an entire territorial zone belonging to it. A number of problems *sui generis* may arise for this reason both from the point of view of public international law and private international law.

Finally, the fact that the canal passes through American territory, in addition to the stipulations contained in the Hay-Pauncefote Treaty, gives the canal a very characteristic international situation, especially with regard to its free navigation and neutrality.¹

2. POLICY OF INTERVENTION OF THE UNITED STATES IN FOREIGN AFFAIRS OF CERTAIN LATIN-AMERICAN STATES

This group forms the second aspect of the policy of hegemony.

We find two characteristic cases of great importance which show that, although the Monroe Doctrine is involved, the United States has practiced at the same time its own policy of hegemony as a logical consequence.

A.—*Intervention of the United States in 1895 in the disputes of Venezuela and England on the boundaries of Guiana*

At this time the American Secretary of State Olney sent a reply to the British note giving the reasons of the United States for intervening in the controversy. He declared in the first place that the case involved a very weak country which had several times asked for arbitration. Thereupon he formally invoked the Monroe Doctrine and finally said that since the honor and interest of the United States were at stake in the case, the matter could not be regarded with indifference, but Lord Salisbury replied to this note with two communications wherein he disputed the claims of Mr. Olney.

In the first of these notes Lord Salisbury said that in this case neither of the two hypotheses covered by the Monroe Doctrine was involved, a Doctrine which, he added, does not form part of international law. He closed the note by contesting the principle laid down by Mr. Olney that American questions should be decided exclusively by the Americans. The second message, which contained an exposition of the question, reproached Mr. Olney for looking at it only from the American point of view.

At this moment the United States Congress intervened. . . . Consequently Congress invited the two parties to consider favorably

¹ See on this subject, P. C. Hains, *Neutralization of the Panama Canal*, in *The American Journal of International Law*, vol. 3 (1909), pp. 354-94.

the proposal of resorting to arbitration. But England abided by its refusal to do so. Thereupon President Cleveland sent a message to Congress in which he affirmed the Monroe Doctrine. A State, he declared, has the right to intervene between two States that are in dispute when its interests are threatened; consequently the Monroe Doctrine which sanctions this right should be considered as a part of the law of nations. Finally the message proposed the appointment of a commission to study the question and give its advice. Subsequently the United States would be able to oppose by force the territorial claims of England which might be regarded as excessive.¹ . . .

On February 2, 1897, the treaty of arbitration between England and Venezuela based upon the agreement of 1896 was signed. The award rendered on October 3 next was almost entirely favorable to England.²

B.—*Intervention of the United States in the coercive action of England, Italy and Germany against Venezuela in 1902-1903*

This case must be described in greater detail, for it is very characteristic from the point of view of hegemony of the United States and also because it is a typical case on account of its complexity. It involves a claim through the diplomatic channel for damages sustained by the nationals of the claiming Powers, forcible recovery of public debts, reprisals in general, and pacific blockade. As a result of the revolution of 1900, which brought General Castro into power, England, Italy and Germany made claims through the diplomatic channel in favor of their nationals. The claims came under two heads, namely, damages resulting from the civil war, suffered both at the hands of the rebels and authorities (requisitions, forced loans, etc.), and recovery of debts contracted in favor of nationals of the claimant countries and principally loans contracted by the State.

From 1900 to 1902 the controversy was restricted to an exchange of notes wherein the question was discussed whether the claimants should have recourse to diplomacy or not. . . .

Venezuela refused to give satisfaction through diplomacy and various incidents occurred, especially the capture of British vessels.

After sending a threatening note, England believed that the time had come to take measures of coercion in order to compel Venezuela to respect these engagements. England and Germany agreed to

¹ Moore, *op. cit.*, vol. VI, pp. 533-83.

² *Pasicrisie*, p. 556.

send an ultimatum and in case satisfaction were not given to proceed with a joint coercive action to consist principally of the blockade of the Venezuelan coasts and to go as far as the seizure of the customs duties. Thereupon Italy declared that it was ready to adhere to the ultimatum and requested that it be permitted to join in the coercive measures.

Before sending the ultimatum the Powers deemed it necessary to notify their plan to the United States Government, asking its opinion in the matter.

Since 1901 Germany had pursued the following course. It had taken care to declare that its action had no other purpose than to secure the payment of contract debts and in no case would it pursue the acquisition or permanent occupation of the country. In reply the United States Government referred to President Roosevelt's message of December 3 of the same year. According to this message the United States did not guarantee impunity to any State "if it misconducts itself, provided that punishment does not take the form of the acquisition of territory by any non-American power."

In 1902 a similar step was taken by the British Government. The American Government gave a like reply, declaring in its note of November 13 that although it regretted that European Powers should employ force against the States of Central and South America, it could not object to their recourse to means necessary for obtaining redress for wrongs suffered by their subjects, provided that they did not intend an acquisition of territory.

A little later Italy declared its adherence to the coercive action, adding that it had in mind no territorial occupation, and that its conduct would be quite in conformity with the interpretation given to the Monroe Doctrine by the United States.

Thus informed on the attitude of the United States, Italy and Germany each sent an ultimatum to Venezuela. Having received no reply in twenty-four hours, the ministers of the two Powers left Caracas and after another delay of twenty-four hours the measures of violence began. They consisted of the seizure of the Venezuelan war-ships, two of which were sunk. Puerto Cabello was bombarded. . . .

When the measures of coercion had hardly begun, President Castro requested the minister of the United States at Caracas to propose to England and Germany to submit the settlement of indemnity for damages caused by the civil war to arbitration. The Venezuelan

Government authorized him to accept in its name an agreement by the three Powers to have recourse to a mixed commission. . . .

With regard to this policy of hegemony pursued by the United States, we notice that the States of Europe themselves, in order not to get into conflict with it as the result of violent measures that they might undertake against the States of Latin America, inform the Washington Government of the difficulties that they have with these countries, asking the advice of the United States if necessary or inviting it to intervene in disputes with these States. The United States, on its side, in order to avoid the conflict's becoming acute, and at the same time to prevent the European States from being repulsed in their just claims, undertakes the intervention that is sought. President Roosevelt went so far as to desire to apply the system of "international police" in these countries.

3. POLICY OF INTERVENTION IN THE INTERNAL AFFAIRS OF CERTAIN STATES, ESPECIALLY CUBA AND PANAMA

This is the third aspect of the policy of hegemony.

The same conditions that prompt the intervention of the United States in the foreign affairs of certain States prompt it also to intervene in their internal policies.

We have seen the nature of the interventionist policy of the United States in the independence of Cuba and Panama and in their international status. We have also seen that, in order to assure peace in these countries which is so advantageous to all and so necessary for the prestige of the continent, thanks to the influence of the United States, an article has been inserted in the constitutions of these two countries authorizing the intervention of the United States in case of trouble.

Important cases have already come up.

When difficulties arose in Cuba in 1906 the United States occupied the island, just as it had done at the time of its independence. But it withdrew again after a new government had been constituted and tranquillity had been reestablished. As for Panama, when rumors were spread in 1908 that election frauds would take place during the presidential elections, the Secretary of War, Mr. Taft, who had gone to Panama to inspect the work on the canal, wrote to the President of Panama in a letter of May 12 that it was of direct interest to the United States, in case of threats of fraud in an election, to intervene in order to prevent them, and in case such frauds

should occur, to hinder the officials, for the election of whom the free choice of the people was not assured, from taking office. Thanks to this intervention the elections took place without pressure on the part of the government.¹

X

The distinction between acts of hegemony and those of application or amplification of the Monroe Doctrine is quite real and positive.

The Monroe Doctrine represents the interests of the entire continent and all the States of America have agreed to maintain it. Furthermore, although up to the present time the United States has been its sole defender, Latin States would now be found who are powerful enough to maintain it should the United States refuse.

This is not the case with the policy of hegemony. If in its second aspect it is approved by these States, this is not true in the first and third cases. The Latin States are afraid that the United States will extend this policy to their prejudice.

This distinction between the Monroe Doctrine and the policy of hegemony explains consequently the contradiction to which, according to the European and North American publicists, the Latin States expose themselves by asking aid and protection of the United States in certain cases in the name of the Monroe Doctrine, and by denouncing now and then the policy that it applies in the name of this Doctrine.

Although the United States has always exercised this hegemony with discretion, it has at times made bold statements.

In several instances it has made declarations of hegemony that are truly extraordinary but fortunately isolated, for in practice they would have met with the resistance of the Latin-American States or at least of the better constituted States among them. Thus Secretary of State Frelinghuysen declared on January 4, 1884, that the Department of State would not sanction any arbitration by European States in South America even if the interested parties had accepted it. Similarly Secretary of State Olney, the same one who claimed that American questions could be decided only by Americans, declared, among other things, in his note of July 20, 1895, to the English Government with regard to the dispute with

¹ On this subject, see *Vie politique dans les deux Mondes* (published under the direction of A. Vialatte), 2d year (Paris, 1909), p. 504.

Venezuela: "Today the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition. . . . There is, then, a doctrine of American public law, well founded in principle and abundantly sanctioned by precedent, which entitles and requires the United States to treat as an injury to itself the forcible assumption by an European power of political control over an American state." We may mention also the policy which President Roosevelt wished to establish with regard to certain Latin-American States in order to compel them to fulfil their financial obligations towards the States of Europe. Recognizing that a creditor in certain cases can secure payment only by force, sometimes occupying temporarily a part of the territory of the defaulting State (since these methods are not acceptable in America because they are contrary to the Monroe Doctrine), the President deemed it necessary to seek a means which, while preventing the European States from a recourse to force, would make it possible for these States at the same time to secure payment. For this purpose he invented the system called "international police" whereby the United States was to use intervention in such cases in Latin America and take measures causing the Latin-American States to fulfil their obligations. He wished to apply it for the first time to San Domingo in 1905. At the end of January, 1905, President Roosevelt made a treaty with the authorities of the island, according to which the United States would manage the customs of this Republic for the purpose of paying the creditors, for which purpose a part of the custom revenues was to be used. This was the occasion of his two messages to Congress of February 15 and December 5, wherein he made the declarations just mentioned.

This policy met with strong objection in the United States itself, because of the trouble that it would cause the country and the defiance that it might arouse among the Latin-American States. At the present time it seems to be destined to be appreciably modified, if not abandoned.

XI

Just as we must not confuse the Monroe Doctrine and its amplifications with the policy of hegemony, this policy on the other hand must not be confused with imperialism. Hegemony is concerned exclusively with the intervention of the United States in certain affairs of the American States so far as they form a part of the New

World. It is a distinctly American policy. It endeavors to respect the independence of the States, for in law these States always remain independent and sovereign. It contemplates neither conquest nor submission to a protectorate. It concerns itself especially with the establishment of influence.

The imperialistic or world policy, on the other hand, is common to all countries that have attained great development. Its object is to develop their commerce, to open markets to them, and to establish their political superiority in all parts of the world. Its means of action are unlimited; they are always a restriction of independence and they aim at conquest or at a more or less established protectorate. Its principal manifestations are increase of territory, especially colonial territory, intervention in all affairs connected with the European balance of power, etc.

It follows that the increase or the projects for increase of the territory of the Union, even on the American continent, come in reality under the head of imperialistic policy and not the policy of hegemony, although the other great States addicted to imperialism can not extend their territory into the New World. In our opinion it is accordingly an error into which the European publicists have fallen and which we ourselves have committed, to state that the annexation of Texas and the projected annexation of Yucatan and San-Domingo represented a new development of the Monroe Doctrine and that the United States had passed from the principle of defense, which it had always maintained, to an aggressive policy or one of action.

It must be noted that the United States has often carried out its imperialistic policy by force of arms. From 1836 to 1861 it intervened in this way twenty-five different times not only in America but also in Asia, especially in China and Japan. At times these interventions had as their purpose territorial expansion, at other times commercial development. They were so numerous, especially between 1850 and 1860, that it may be said that at the time they constituted the ordinary procedure of American diplomacy. These military expeditions are characterized by the fact that they took place without a declaration of war, with the exception of those from 1775 to 1779, of 1803 to 1804, the war against England of 1812 to 1814, the war against Mexico of 1846, and the war against Spain of 1898.

Consequently it must not be thought that the imperialistic policy

of the United States began with the Spanish War; it began almost with the Revolution, for since that time the country has continually expanded. Its imperialism developed gradually and was the logical result of its entire political and economic history. The war of 1898 merely revived patriotic sentiment and again increased the prestige of the Union by giving it the desire to augment its military forces. Even before this war it was bent upon extending its possessions not only in Europe but beyond, especially in the islands in the Pacific. Subsequently this has been the case to an even greater degree.

XII

After the account that we have given of the policy of the United States on the American continent, that is, of the maintenance of the Monroe Doctrine and its amplifications, hegemony and the various cases of application of these principles, it must be said that neither the Monroe Doctrine nor hegemony are exercised with the same intensity over the whole American continent. Both principles are applied almost exclusively in the States bordering on the Gulf of Mexico (with the exception of Mexico), or situated on the Caribbean Sea or near it. It is here that the United States has most direct interests and it is here that the weak States often internally disturbed and consequently the object of European attacks, are located. We may understand, therefore, that given the object of these two policies, they are both applied with preference.

Yet in two cases the United States, although requested, did not wish to intervene in this region.

In 1835 it refused to support the Federative Republic of Guatemala (today divided into five States) against the English, who for a long time had made colonial settlements in Honduras. Then in connection with the Lüders case in 1897 which brought about a dispute between Germany and Haiti, in the course of which Germany sent war-ships to Haiti, Secretary of State Sherman declared that the Monroe Doctrine did not require the United States to interfere in the constant disputes of the American republics with Europe.¹

As for the other States, especially Chile, Brazil, the Argentine Republic and Uruguay, the Monroe Doctrine and hegemony are scarcely ever applied today. The reason for this is that in these regions the United States has fewer interests; a great distance separates them; these prosperous and well-organized countries are re-

¹ Moore, *op. cit.*, vol. VI, p. 475.

spected and give Europe no cause for a hostile attitude. On the other hand the United States can not intervene in their affairs without offending them, which is not to its interest.

In some cases the United States did not only fail to intervene spontaneously but refused to do so, although requested. Thus it refused to intervene, in spite of the requests of the Government of Buenos Aires, against England when the latter seized the Falkland Islands in 1833, claiming older title than that held by Spain from which the Argentine Republic had secured its claims. In 1838 France, and in 1845 France and England, intervened with an armed force in Rio de la Plata, without the opposition of the United States Government, although they interfered with the internal policy of the country. In 1865, during the war of Spain against Chile and Peru, the United States, in spite of the attacks of the French squadron at certain points along the American coast and in spite of the bombardment of Callao and Valparaiso, was satisfied with the declaration of Spain that the war would not be followed by any change in the republican form of government in these South American countries.

In 1881 the United States refused to join France and Great Britain in order to put an end to the war between Chile and Peru;¹ similarly in 1897 it refused to intervene in the boundary dispute between Chile and the Argentine Republic.² However, in the war between Chile and Peru it offered on three occasions mediation of an interventionist character, even sending two special delegates to the Government of Chile. But the United States did not insist and the treaty of peace was concluded without its mediation. In 1893 and 1894 the United States squadron anchored in the Bay of Rio de Janeiro thwarted by its attitude an attempt to restore the monarchy in Brazil.³

XIII

Hegemony, just as the Monroe Doctrine, has been objected to because it does not rest on solid foundations in international law. But both of them are a part of international law and they should be taken into consideration since they are known lines of conduct respected by the States and because, in spite of exceptions, they have been constantly applied and have force behind them.

But if they belong to international law the reason is not the same

¹ Moore, *op. cit.*, vol. VI, p. 508.

² *Ibid.*, pp. 1113-20.

³ *Ibid.*, pp. 435-36.

for each of them. The difference between them is especially juridical or moral.

The Monroe Doctrine is the manifestation of the desires of an entire continent. The number of States laying claim to it and the justice in the name of which it is claimed give it all the characteristics of a principle of international law. It is American because all America would protest in case of its violation.

The same is not the case with hegemony. This is a political system followed by a single State. Although not disapproved, this policy has not always been approved. Its violation would not be a ground for protest. Consequently, although it is very important in international relations, hegemony does not possess the value of a principle.

The Monroe Doctrine and hegemony have been asserted in a solemn manner before the entire world by the United States at the First Hague Conference where the United States showed itself, according to one of its delegates, "determined more firmly than ever before in its history, to maintain this policy and the Monroe Doctrine, in its later approved and extended form, carefully and energetically."¹

Upon signing the Convention for the pacific settlement of international disputes the delegation of the United States made this declaration:

Nothing contained in this Convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said Convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.

In his address delivered on April 2, 1903, at Chicago, President Roosevelt referred more to hegemony than the Monroe Doctrine when he said that it is only a principle of policy and expressed the hope that some day it would be a part of international law.

We must not confuse it with any political system of Europe. It can not be compared with the system of equilibrium for its object is quite different, and because exercised by a single State, it lacks control in its application. Nor should it be confused with imperialism or with the system of protectorates.

It is a policy *sui generis* which must be studied in its origin and

¹F. W. Holls, *The Peace Conference at The Hague* (New York, 1900), pp. 270-72.

evolution and in its principal cases of application, if we are to comprehend its future course.

Just like the Monroe Doctrine, hegemony gives a characteristic aspect to certain relations of the States.

XIV

We have seen the origin, the development and the cases of application of the Monroe Doctrine, as well as of hegemony, also their foundation, their true nature, the cause of their success, and their significance in international law.

Let us see now what the results will be when we admit that the Monroe Doctrine is an American principle of international law.

In Europe it has been said that in order to admit it as such it must be just, as far as it goes. Consequently the United States, its champion, becomes responsible for the injurious acts of the Latin-American States that authorized it to take coercive measures of a territorial character; or the United States must exercise police power or a protectorate over these States in order to oblige them to meet their obligations. Otherwise the recalcitrant States of America would occupy a position of a too privileged nature, since the Monroe Doctrine would guarantee them impunity. In this case the Doctrine would merit the disapproval of the civilized world.

The objections of Europe assume greater force and scope with regard to a new amplification of the Monroe Doctrine proposed by the Argentine Republic in 1902.

On the occasion of the coercive action against Venezuela the Argentine minister, Drago, proposed to the Washington Government by a note of December 29, 1902, an amplification which is summed up as follows: "In a word, the principle which she [the Argentine Republic] would like to see recognized is: that the public debt can not occasion armed intervention nor even the actual occupation of the territory of American nations by a European power." In other words it was proposed to declare that Europe could not in any case proceed by force to the recovery of the public debts of an American State. The United States Government, realizing the gravity of the first part of this declaration, replied evasively on February 17, 1903.

We shall continue with our examination of the justice of this Doctrine. For the present we must state that Europe is justified in saying that the Doctrine or rather the amplifications of the Monroe Doctrine must be corrected if it is to gain acceptance by its moral

prestige, in order to prevent the American States from evading fulfilment of their obligations.

But this means of correction exists. It lies in neither of the means proposed by Europe. We find it first of all in the second aspect of hegemony, which thus becomes a logical consequence of the Monroe Doctrine. It is exercised precisely over the States against which Europe has reasons for complaint. Up to the present time it has been exercised with prudence. Its application is sufficient to give satisfaction to Europe, without the necessity of resorting to a system of international police or, going even further, a protectorate.

Another means of correction lies in the following: The States of Europe may exercise coercive measures that do not have the form of territorial occupation, such measures being in no opposition to the Monroe Doctrine. As we have seen, this is precisely what President Roosevelt declared in his message of December 3, 1901, when he said that the United States did not guarantee impunity to any American State that misconducts itself provided that the punishment should not take the form of territorial acquisition. The same declaration is found in the communication of November 13, 1902, addressed to the British Government on the subject of the coercive action against Venezuela.

Finally, the Latin States have an interest in not becoming jointly responsible and even in refusing respect to a State that has misconducted itself. Such a State would lose the respect of Europe and the other American countries, thus being in a worse situation than if any measures of coercion were exercised against it.

Then the dilemma proposed by Europe to the effect that either the United States is responsible for wrongs of the recalcitrant States or it must exercise a police system or a protectorate over the American States, is inexact. The solution is found in a middle course indicated by a just appreciation of the facts. Leaving hegemony aside, we find it presented by the Second Hague Conference of 1907. All the States represented signed a Convention respecting the limitation of the employment of force for the recovery of contract debts. Article 1 provides:

The contracting Powers agree not to have recourse to armed force for the recovery of contract debts claimed from the Government of one country by the Government of another country as being due to its nationals.

This undertaking is, however, not applicable when the debtor State refuses or neglects to reply to an offer of arbitration, or, after accepting the offer, prevents any *compromis* from being agreed on, or, after the arbitration, fails to submit to the award.

Hence it is established that coercive measures may be taken against a State that has acted in bad faith and these measures may go as far as the temporary occupation of the customs and no further in America. But such measures can not be taken against a State acting in good faith. The circumstances of the case, and in the final instance an arbitrator, must decide whether the case involves bad faith.

It was with good reason that President Roosevelt said in his message of December 2, 1902, that an American nation, provided it maintains internal order and fulfils its just obligations towards other nations, has nothing to fear from intervention from without.

Since one aspect of hegemony is a logical consequence and a means of correcting the Monroe Doctrine, the only point remaining to be solved—and this is already part of the American policy—is whether it should be exercised by the United States alone or whether this task, as well as the defense of the Monroe Doctrine, should be shared with the Latin States that are able to do so. This seems to be the present tendency of the United States, which desires to abolish distrust in order to secure closer relations with these States.

This was done as early as 1906 in order to put an end to the conflicts in Central America. The United States wished to associate itself with Mexico. The intervention brought good results and a Central American Conference took place in Washington in 1907.

LUIS ANDERSON ¹

I welcome this opportunity to speak on a question of the utmost transcendence for the preservation of peace in the future, and which, for this very reason, I think would be a pertinent subject at the Hague Conference, as well as in any other conference striving to unite the men of every nation in the eternal bonds of justice and humanity.

Scarcely had the ancient Spanish colonies established their independence and come by their own right to occupy a place among the family of nations, when the conservation of their sovereignty and

¹ Publicist and statesman of Costa Rica. The following address entitled *The Monroe Doctrine and International Law* was delivered before the American Society of International Law at its sixth annual meeting held in Washington in 1912. See *Proceedings*, 1912, pp. 72-82.

territorial integrity became the object of their greatest and most constant concern. The threatenings of reconquest by the mother country and the greediness with which the nations of Europe cast their eyes about the rich lands of America, full of infinite possibilities and resources of every kind, held the new republics, during the first period of their independent life, in constant danger of being upset. To this situation of anxiety and positive peril, the declaration made by President Monroe in 1823 brought an end. This declaration resounded throughout the world as the solemn announcement of the right of the American peoples to the liberty they had won at the cost of so much blood and so tremendous a sacrifice.

Here are the words of that great President, whose memory evokes in every citizen of this continent a feeling of gratitude and admiration, and whose words shall echo as long as liberty may live in America: . . .

Such an important and solemn declaration, uttered at the most opportune time, was really the last stone to complete the edifice of Spanish-American independence; and, until this day, it has been the rock against which have foundered all the different enterprises of reconquest and domination on the part of the countries of the Old World. Before this statement, the vast projects entertained at Verona by the monarchs united in the Holy Alliance had to hold themselves in check and remain reduced to nothing; and the same fate was later shared by the unfortunate adventures of Mexico, the Chincha Islands, the Dominican Republic, etc.

To avail myself of the happy expression of our illustrious colleague, Don Alejandro Alvarez, "the message of President Monroe, although it was not its purpose to declare any principle, nor had anything in view beyond the immediate interests of the United States, yet it formulated with such precision the international situation of the New World with respect to the Old, and synthesized so exactly the aspirations and destinies of all America, that in a certain manner it came to be its gospel."¹

In fact, the declaration of President Monroe, made under trying circumstances and on the most proper occasion, was for the Iberian Republics of America the fundamental ground of their sovereignty and institutions; for America at large, it was, and continues to be, the symbol of continental solidarity which unites the English-speaking and Spanish-speaking peoples, and places the territory and the insti-

¹ Alejandro Alvarez, *Droit international américain*.

tutions of every American country sheltered from violence and possible foreign intervention, assuring them their national life as organizations which shall never be disintegrated by any expansionist ambition.

The Monroe Doctrine, so considered and understood, constitutes the cornerstone of our existence as political bodies and is in fact one of the cardinal principles of our international life. Proclaimed and maintained in the most energetic way by the United States, but sustained with no less decision and enthusiasm by the other republics of the continent each time the independence and integrity of the Latin-American nations have been menaced, the Monroe Doctrine has played an important rôle in the incident and has received a new consecration. Thus, it is evident, among other instances, from the declaration of Secretary of State Buchanan in 1848 in regard to the expedition of Flores to Ecuador; the attitude of the United States in regard to the French intervention in Mexico in 1862-1866; the declaration of Secretary of State Seward in regard to the war of Spain with Chile and Peru; the protest of the United States against the reincorporation by Spain of the Island of Santo Domingo in 1861; the declaration of the Government of the United States in view of the conflict over the boundary of Guiana, between England and Venezuela, etc.

It is necessary, therefore, to admit that, thanks to the Monroe Doctrine, maintained by the diplomacy of the United States with such ability, energy and constancy, the Latin-American continent has remained until now immune to the colonizing tendency which characterizes the policy of the great Powers of Europe.

But will this policy of the United States Government be sufficient in coming years to guard the weak nations of America from attempts at conquest by the strong nations? This is a problem with which we may, perhaps we shall, be confronted in the near future, and logic, as well as the most elementary precaution, teaches us all that we ought to foresee the events and prepare ourselves to face them, seeking from now on satisfactory solutions of so delicate a situation.

Not long ago from the German Reichstag reechoed throughout the civilized world the following words, pronounced by no less a personage than the Imperial Chancellor: "The essential condition of a peaceful state is power. The old truth still remains, that the weak are the prey of the strong." This declaration has resounded in every corner of the earth as the sad and ominous cry which reminds us how

far distant still is the realization of the sublime ideal of establishing the realm of justice among nations. For the weak nations of Latin America, the utterance of the Imperial German Chancellor has been something like the *Mene, Mene, Tekel, Upharsin*, which announced the potential annihilation of their sovereignty, swept away by the hurricane of conquest.

This is not a pessimistic point of view. The social and political conditions of Europe are truly exceptional and critical. The powerful armaments by sea and by land, those great armies which of themselves are a heavy burden on the citizen—turned from the home to serve in the ranks against his will,—make necessary the imposition of tremendous taxation, each day more burdensome and oppressive for every class. Add to this an overcrowded population, poverty among the working class, together with the socialistic tendencies which advance everywhere with the onrush and persistence of the tides, and which are already beginning to shake the political and social structure, and you shall see how near is the realization of the prophecy of Lord Grey spoken before the House of Commons on the 13th of May of last year:

Rebellion will not come until the taxes oppress directly the classes of society for whom life, even in the better conditions, is a constant struggle. When hunger begins to come by reason of the taxes, and it will arrive sooner or later in every nation if the actual military expenses continue increasing as at present, then a rebellion will be near, which will bring an end to this military expense. Such is the end to which the great nations today are sinking.

The governments of the great Powers of Europe believe they have found in territorial expansion the means, if not to prevent, at least to delay the danger with which they are confronted; and thus we have seen them, during the last few years, striving to enlarge at any cost their colonial empire, with a view to transfer beyond the seas their overflow of population without weakening the country by migration, but enlarging their frontiers and acquiring at the same time splendid advantages for their commerce. With no limitations other than those which they themselves have been willing to use against each other as a matter of compensation and equilibrium, the European Powers, while rejoicing at the peace the continent has enjoyed since 1871, have been bringing war into the regions of Africa, Asia and the Pacific Islands, in order to raise here and there the flag of the conqueror.

But this colonial policy has proved nothing more than a momentary

remedy, as the disease still exists while the medicine is being used up; the territories appropriated are no longer sufficient, and the old continent offers no more land available for colonization. The danger, as an ever-increasing and threatening wave, shows itself again, and the governments, utterly astounded, realize that the colonial policy in which they expected to find their salvation was no more than a truce.

New fields for the colonizing and adventurous spirit would perhaps be the means of prolonging that truce, to set aside for a longer period the danger which is now imminent. But where are these new fields? It is not difficult to see that the answer should be found on this side of the Atlantic. I read in an important book, written not long ago by Dr. Albert Hale,¹ what follows:

The nations of Europe are crowded and South America offers the only available land on earth into which the surplus can overflow. Who will occupy this virgin soil, when and how, by whom and under what influences will its productive acres be used for the sustenance of man?

The rich and vast regions of Iberian America, in the main unoccupied, as there would easily be room enough for its seventy million inhabitants in any of the great republics; its infinite superiority as compared to all which has been appropriated and colonized to this date in Asia or Africa, must be the greatest temptation to the government of more than one European Power, a temptation now greatly increased by the nearing completion of the Panama Canal, that stupendous work which attracts upon this continent the eyes of the world and all the currents of modern civilization.

If the declaration of the Chancellor of the German Empire, above referred to, to the effect that "the weak are the prey of the strong," is to be taken as the crystallization of present-day ideas in questions of international justice, the weak nations of America find themselves face to face with a danger, equal if not greater, than that with which they were threatened in the beginning of their political existence. The same writer, Dr. Hale, states that—

If England or Germany assert that might is right, that their capital invested there is best preserved by a direct power which is responsible only to London or Berlin, if overflowing Europe cannot be restrained, and if they seize as colonial possession the virgin acres of these relatively weak nations, there will be bloody war. It may be with more benignant purpose than the Spanish invasion of four centuries ago, but it will likewise be a war of conquest, this time not for gold or for booty but for land on which millions may live.

¹ Albert Hale, *The South Americans*.

Further on he adds—

Europe—England, Germany, France, Italy and Spain, have their commercial rights which must undeniably be recognized, but some of them have equally undeniable ambitions to subvert the democratic idea, and they would go so far as to combine their commercial rights with their monarchical ambitions by laying hold of land, which would become territories of Europe snatched from South American nations; over this land they would fly the flag of an hereditary king, and the residents therein would be subjects, not citizens. Thereby would be destroyed the sentiment of American soil for the democratic ideals.

Such is the peril, I say, with which America might be confronted some day. Now, as then, the Monroe Doctrine should perforce constitute the wall that should hold back the ambition for territorial aggrandizement at the sacrifice of American soil; with the only difference that such a bar is today defended by all the nations of the continent whose diverse resources today are infinitely superior to those at hand when the doctrine was first stated with such stupendous success.

An attempt of any Power whatever to force its way into this continent with conquering intentions would, without doubt, be the test stone by which, proving at the same time the efficiency of the Monroe Doctrine, there would be manifested as a whole the solidarity of our continents for mutual defense.

Such solidarity, which is a fact, may perhaps, in some given cases, find itself relaxed through the fear or distrust that some states might entertain against each other through apprehension in regard to independence or territorial integrity. I think that that very Monroe Doctrine would be sufficient to meet the difficulty if only all the American countries, without looking at past events, but with eyes cast upon their future destinies, would resolve to carry out the idea of President Monroe in all its logical developments and conclusions according to what the spirit of the times demands; if they unite to proclaim as they should do, that "*conquest shall be hereafter absolutely proscribed from the American continent, binding each and all, neither to undertake nor to tolerate conquests of American territory,*" the Monroe Doctrine would thus attain its highest consecration, and the bonds uniting the sister republics of the World of Columbus would be made more binding and become real and actual ties of fraternal friendship. That should be the main point and the most important subject before the next Pan-American Conference.

Such a declaration, whose importance and necessity could never

be sufficiently argued, would in reality be nothing new; it has already been formulated on different occasions, from the same high chair from which President Monroe issued his famous doctrine. President Roosevelt, in his speech at the Minnesota State Fair in 1901, said:

The Spanish-American countries in their own interest ought to favor the Monroe Doctrine with the same energy with which we do. We do not intend through it to sanction any policy of aggression of one American state against another, nor commercial preference directed against any Power whatever. In regard to what this doctrine concerns, commercially all that we desire is a fair field and no favor; yet, if we proceed wisely, we should insist in the most strenuous manner that under no pretext will we tolerate the aggrandizement of any European Power at the expense of American territory; and this without consideration as to the manner in which that is done.

President Roosevelt, in his message of February 15, 1905, addressed to the Senate, again declared:

It cannot be too often and too emphatically asserted that the United States has not the slightest desire for territorial aggrandizement at the expense of any of its southern neighbors and will not treat the Doctrine of Monroe as an excuse for an aggrandizement on its part.

Mr. Elihu Root, then Secretary of State of the United States, delivered on July 31, 1906, before the representatives from the American Republics, assembled, at the Monroe Palace of Rio Janeiro, in the Third Pan-American Conference, a speech from which the following words shall forever ring in America as a token of friendship and confidence among its different nations:

We wish for no victories but those of peace; for no territory except our own; for no sovereignty except the sovereignty over ourselves. We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire, and we deem observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights, or privileges, or powers that we do not freely concede to every American Republic. We wish to increase our prosperity, to expand our trade, to grow in wealth, in wisdom, and in spirit, but our conception of the true way to accomplish this is not to pull down others and profit by their ruin, but to help all friends to a common prosperity and a common growth, that we may all become greater and stronger together.

And not many days ago, the present Secretary of State of the United States, Mr. Philander C. Knox, addressing the President of Nicaragua, confirmed the same idea, in such terms of energy and frankness that his words cannot but bring the general conviction that there is no serious motive nor justified distrust which might in

any way hinder the good understanding and community of purpose between Anglo-Saxon America and Latin-America in regard to the construction and maintenance of the Monroe Doctrine. These are Secretary Knox's words:

I note, Mr. President, what you have said in regard to the existence of some apprehension here and in other Republics of Latin-America as to the true motives and purposes of the United States towards them under the Monroe Doctrine. I beg to assure you, and I am sure that what I say meets the approval of the people and President of the United States, that my Government does not covet an inch of territory south of the Rio Grande. The full measure and extent of our policy is to assist in the maintenance of republican institutions upon this hemisphere and we are anxious that the experiment of a government of the people, for the people and by the people, shall not fail in any Republic on this continent. We have a well-known policy as to causes that might threaten the existence of an American Republic from beyond the sea. We are equally desirous that there shall be no failure to maintain a republican form of government from forces of disintegration originating from within; and so far as we may be able, we will always be found willing to lend such proper assistance as may be within our power to preserve the *statuity* of our sister American Republics.

On the other hand, such a declaration incorporated in a public treaty between the American republics would impose silence upon those who deny any international value to the Monroe Doctrine, alleging that it does not amount to anything more than the expression of a political tendency of the United States Government, and in no way an acknowledged principle of the law of nations. "The Monroe Doctrine," says an American author, "has not received legislative sanction not even in the country of its origin; its development has depended on successive affirmations of persons officially competent to define it; but without any authority sufficient to obligate the nation with their personal expressions. It continues therefore to remain a political tendency and not a municipal or international law." Assuming that this proposition is correct, a diplomatic agreement on the part of all the republics should dispose of the objection, as such an agreement would at once convert the doctrine into law, and what is considered a mere political tendency of the United States into a fundamental canon and a binding principle upon the nations of this continent.

I know beforehand that to this thesis there will be opposed the opinion of European authors who say:

Since the law of nations is a law between all civilized states as equal members of the family of nations, the states of the American continent are subject to the same international rights and duties as the European states.

The European states, as far as the law of nations is concerned, are absolutely free to acquire territory in America as elsewhere; and the same legal rules are valid concerning intervention on the part of European Powers both in American affairs and in the affairs of other states.¹

Without denying the truth included in the first part of this statement, in regard to the last two, that is, in reference to the possibility of the Old World acquiring territory of the American continent or intervening in the internal affairs of the independent nations which occupy it, any observing and impartial spirit will be compelled to conclude that the occurrences that have happened since 1823 show clearly that such assertions are absurd.

The European Powers have not acquired one inch of American territory since independence was accomplished, and if they should now attempt it, they would meet, as I have said before, with the same stumbling block which they found in the beginning, now considerably increased and strengthened.

But be it as it may, it is not a situation for material resistance nor for force which we now contemplate, but one of strict justice, and justice shelters under its protecting wing the noble aspirations of the republics of the New World to live free and independent, and to conserve in peace the rich gifts with which the Creator has favored them. Both from the point of view of political equilibrium and from the infinitely more important one of peace and international justice, it is urgent that the Monroe Doctrine, in fact accepted and respected by all nations, should attain from all of them the consecration of an admitted principle of international law. If in the next conference at The Hague, such a plausible result could be obtained, there would have been removed a grave source for possible disagreement between the nations of this and the other continents, a disagreement which I hope will never happen, but whose painful consequences it is not difficult to foresee. The acknowledgment of the Monroe Doctrine, as stated, by all the nations of the earth should bring confidence among them and, through it, more intimate relations and friendship.

It would be a great step toward the achievement of the noblest aspiration of the human spirit and which this society has for its motto: "*Inter gentes Jus et Pax.*"

¹ Oppenheim, *International Law*.

CLOVIS BEVILAQUA ¹

The Spanish-American nations immediately realized the great importance which the pronunciamiento of Monroe had for them and they gave public testimony of this by adopting it as a doctrine in the Congress of Panama in 1826. England greeted this with an enthusiasm of which Brougham and J. Mackintosh became the legitimate interpreters.²

The attitude of the Congress of Panama pleased J. L. Adams [*sic*], who aspired to an agreement between all the American peoples against the violence of Europe, but the American Federal Congress refused to adopt the views of the President of the great Republic.

Brazil for its part also accepted the Monroe Doctrine, for it invoked this Doctrine when in 1825 it proposed to the United States an alliance for the purpose of defending its independence in case Portugal were assisted by another Power and in order to expel the Portuguese armies which might happen to take possession of any part of Brazilian territory. The United States did not agree to this alliance for they considered it unnecessary as to the first point because peace had been speedily made between Portugal and Brazil, and as to the second point because it was contrary to the Monroe Doctrine, but Clay added: "if there should be a renewal of demonstrations on the part of the European allies against the independence of American States, the President would give to that condition of things every consideration which its importance would undoubtedly demand."³

The nations of Europe have been and still are reluctant to recognize the justice of the Monroe Doctrine, which is nothing but a consequence of the principle of abstention, nothing but a means of guaranteeing the rights of States against intervention. When there arose between Great Britain and Venezuela a boundary dispute which was about to be settled by an accretion of territory for British Guiana with prejudice to Venezuela, and the United States had intervened in the dispute in support of the Monroe Doctrine, which President Cleveland again affirmed in 1895 and with him Secretary of State Olney, Lord Salisbury declared that the British Government

¹ Brazilian publicist; member of Permanent Court of Arbitration of The Hague. The present extract is taken from the author's work entitled *Direito publico internacional* (Rio de Janeiro, 1911), vol. I, pp. 168-72.

² Moore, *A Digest*, secs. 938-9; Calvo, *Droit international*, secs. 154, 155 and 160; Pereira Pinto, *Apontamentos para o direito internacional*, vol. III, pp. 360-62.

³ Moore, *op. cit.*, sec. 946.

did not recognize this Doctrine as a part of the international code. Respect is due the statesman who framed it and the nation that adopted it, but however eminent a statesman may be and however powerful a nation may be, they were unable to include in international law a new principle which had not been previously recognized and which had not been accepted by other nations. But finally by the treaty of November 9, 1896, England accepted the arbitration which it had previously rejected and the United States had urged, thus recognizing practically the Monroe Doctrine.¹ In other respects this Doctrine must be considered as definitely inscribed in the code of international law not only because it has been applied with the consent of the peoples of America and of one of the greater Powers of Europe, but also because in the First Peace Conference at The Hague it was implicitly recognized by the representatives of the nations there assembled.²

From the American point of view the Monroe Doctrine, like the Pan-American congresses which since 1826 have met in America, is an expression of the consciousness of American unity revealed by the continent, and the affirmation of the fact that the nations of this hemisphere should be considered as equally free and sovereign by the Powers of the Old World, and that their territory can not be acquired by the latter under any pretext nor temporarily occupied. From a general point of view the Monroe Doctrine is the same principle of abstention proclaimed by international law, stripped of its purely abstract and innocuous form, assuming a practical aspect and receiving sanction.³

¹ Bonfils, *Droit international*, note of Fauchille to No. 300, pp. 168-9 of the fifth edition.

² Brazil, like other Spanish-American nations, was asked by the Venezuelan Government to request the British Government, at first separately and later jointly, to accept arbitration in the boundary dispute between Venezuela and British Guiana. The Brazilian Government acceded to the request, but without success, for the Marquis of Salisbury declared that it was impossible to accept any proposal on the question of boundaries as long as the diplomatic relations broken off by Venezuela were not restored. Brazil did not wish to insist for it also had a boundary dispute with the same English colony and it might appear that its intervention was not disinterested. Later our question with England came up again when the latter tried to seize the island of Trinidad, which increased our coercion (*Relatorios extr.*, 1893, p. 27-27 [sic]; 1896, p. 42). In the National Congress a vote of thanks was extended to President Cleveland for his special message on the Anglo-Venezuelan dispute.

³ On the Monroe Doctrine see, besides the authors cited above, Arthur Orlando, *Pan-americanismo*; Viallate, *Histoire diplomatique américaine*; Alexandre Alvarez, *Histoire diplomatique des Républiques américaines et la Conférence de Mexico*; the same author, *Droit international américain*, p. 126-81; Araripe Junior, *A Doutrina de Monroe*, in the *Jornal do Commercio* of February and March, 1907, and in the *Revista americana*, 1909, p. 279-98.

POLICARPO BONILLA ¹

When President Monroe made his famous declaration, "America for the Americans," his purpose was to safeguard the existence of the new-born Latin American nationalities and the stability of their democratic institutions. He wanted to make impossible any conquest by the monarchies of Europe that were trying to coalesce to restore colonial government in America. But he did not intend to reserve for his own country the right that he denied to the nations of the old world, and he could not conceive that the United States would assume and use the right of conquest in any part of American territory.

But there came a day in which they did it. The discovery of gold in California, and the settling of Americans in Texas, created foreign *material interests* that overcome *morality and justice*. On one pretext or another, war was declared. The neighboring territory was unpopulated, and was inhabited mainly by tribes of nomad Indians. The invaders did not find any resistance in the inhabitants of the land that they afterward annexed, nor to keep the conquered territory [*sic*]. The resistance made by the Mexican nation was not great, on account of the backward state of the country, and also on account of the exhaustion produced by constant civil wars. Mexico lost, consequently, on being vanquished, more than half of its territory; and since then there has been instilled in the hearts of the Mexicans the fear of future invasions and the natural rancor against the conquerors, a feeling that has not disappeared in nearly seventy years, being transmitted to three generations, although sometimes it has been dulled by the influence of commerce and immigration, and with the inversion in Mexican soil of over one thousand millions of American capital in all sorts of enterprises. Since then the Monroe Doctrine instead of being considered as a guarantee of independence by the Latin American countries, was regarded as a menace to their very existence.

Lately the Spanish War, begun in the name of humanity and civilization, ended in material gains for the United States, with the acquisition of Porto Rico and Guantanamo Bay in Cuba; and that induced Latin America to believe that this country was still seeking

¹ Ex-President of Honduras. The following is an extract from a pamphlet published by Mr. Bonilla entitled *Wilson Doctrine: How the Speech of President Wilson at Mobile, Ala., has been interpreted by the Latin-American Countries* (New York, March, 1914), pp. 3-5. See extract from President Wilson's speech, printed *post*, p. 555.

new territorial conquests, which was a new source of discredit for the Monroe Doctrine.

Later, in 1904, the President declared that the United States had the right to assume the rôle of international police in Latin America; and so deeply wounded the pride of the other nations, that the doctrine invoked in that declaration was made odious, and still more, this added to the resentment produced by the means employed to acquire the Panama Canal Zone, violating the treaty with Colombia, and afterwards the establishment of an economic protectorate in Santo Domingo, that has produced the complete ruin of that country.

A secretary of State, later, destroyed the fruits of the patient labors of conciliation of the two races initiated by his predecessor, Mr. Blaine, founder of Pan-Americanism, and further advanced by another, Mr. Root, when proclaimed as the policy of this government towards Latin America the "Dollar Diplomacy"; and in accordance with it, tried to impose on the various Central American countries, loans and other ruinous negotiations based on the Dominican plan, that happily were rejected, with the exception of Nicaragua, where the government committing real high treason, and with a perfect knowledge that the American Senate was opposed to that policy, submitted itself to the will of the State Department. The result has been, that to protect supposed American interest, to protect an option of buying the national railroads and navy at a ridiculously low price, and may be for reasons of a worse kind, that we leave for others to make public; American marines were landed, to uphold the government of the traitors to their country and their race, and to fight the Nicaraguans defending the honor, the dignity and the autonomy of their country. After their easy triumph, these marines occupied and still occupy the White House at Managua, hoisting daily in that mansion the flag of the Stars and Stripes, that should be only a symbol of the liberty of these countries, and maintaining with that permanent affront, the indignation of public sentiment in the Latin American peoples.

All that has also been done while invoking the Monroe Doctrine. Such precedents have produced a state of public opinion, that the simple mention of that historical doctrine in regard to the international relations between this country and others of this continent, makes them consider it as an offense to their dignity and its sovereignty, and at the same time as a menace to their independence and other vital interests. Unquestionably President Wilson understood

it to be so; and on that account, taking advantage of the presence at Mobile of the representatives of the Latin American Republics for the meeting of the Commercial Congress of the South, offered then the olive branch as a token of peace, and enunciated in the above quoted speech a new doctrine, that conveys the reprobation of all the arbitrary amplifications and interpretations that have been added to the original Monroe Doctrine, and of all the abuses that that have been committed under it, while at the same time recognizes the duty of repairing the harm done as far as possible.

LUIS MARÍA DRAGO¹

STATE LOANS IN THEIR RELATION TO INTERNATIONAL POLICY²

Financial interventions are to-day and have always been a political weapon in the hands of the governments. They have all proceeded in accordance with the formula of Lord Palmerston. The right to interfere for the collection of debts is declared indisputable, but the fact itself of the intervention is subordinated to domestic and transitory considerations.

And these domestic considerations are always and without exception considerations of military expediency. Thus sometimes there is decreed and at others denied intervention in Turkey, in Tunis, in Morocco on behalf of the same creditors holding the identical bonds, according as the equilibrium of Europe demands or does not demand such action at a given moment. These interventions are always directed against nations that are weak or without allies and in consequence unable to resist them. Never and in no single case has pressure been brought to bear against powerful states.

Russia found herself compelled during a series of years to suspend payment of the interest on her foreign debt and it did not occur to any one that she might be compelled to pay or that her revenues were susceptible of embargo. Portugal openly repudiated a foreign loan without bringing upon herself any international conflict. . . .

These reclamations terminated, as is seen, in a manner very different from that in the case of Venezuela.

¹ Argentine statesman; former member of the Permanent Court of Arbitration at The Hague.

² Extract from article printed in the *American Journal of International Law*, vol. 1 (1907), pt. 2, pp. 710-22.

Like this, there are many cases which lead us to conclude that financial intervention is exercised only when there are no greater obstacles to overcome in the form of military resistance, and above all when they serve the purpose of a policy of colonization entertained alone or in concert with other powers, in order to gain supremacy or obtain spheres of influence or other advantages pertaining to imperialistic expansion.

And in as much as delay in the payment of the interest on loans has never constituted a *casus belli* between sovereign nations that stand toward one another on a footing of equality, one will readily understand the suspicion which was aroused in South American countries by the costly naval expeditions and blockades so entirely out of proportion with their immediate object and apparent aim. It is for this reason that we said that, independently of their legal signification, interventions of this kind ought to disappear from South America. They call into question in truth and very pertinently the vital elements of the Monroe Doctrine. The American continents are not subject to future European colonization and the independence of the nations of that hemisphere having been recognized, as it has been, it is an unfriendly act on the part of any European Power to pretend to oppress them or in any manner control their destiny. These two postulates constitute the famous formula of emancipation and defense which have taken such deep root in American thought and in American hearts. Their inspiration and origin is to be found in the farewell address with which Washington took leave of his people, and may be followed through the correspondence of Jefferson, Monroe, Rush, and Quincy Adams as well as in the conferences and insinuations of Canning until they culminate in the memorable message of December 2, 1823, and almost simultaneously in the declaration of the British Minister to the French Ambassador M. de Polignac.¹

Received with enthusiasm by English public opinion, Lord Brougham declared that the message of President Monroe was an event of such a nature that there has never been another capable of producing greater satisfaction, pride, and gratitude in the free men of Europe, and Sir John [James] Mackintosh added—

¹ The Monroe Doctrine has been treated in a masterly manner by Henderson, *American Diplomatic Questions*, pp. 289 *et seq.*; Foster, *A Century of American Diplomacy*, p. 438; Roosevelt, *The Monroe Doctrine in American Ideals*, p. 228; Sir Frederick Pollock, *The Monroe Doctrine in Nineteenth Century and After*, October, 1902; John Bassett Moore, *Digest of International Law*, vol. vi, pp. 368 *et seq.* See also the inspired words which Mr. Root uttered in regard to the Monroe Doctrine in his speech before the Chamber of Commerce, in Kansas City, November 20, 1906.

This coincidence of the two greater English commonwealths (for so I delight to call them; and I heartily pray that they may be forever united in the cause of justice and liberty) cannot be contemplated without the utmost pleasure by every enlightened citizen of the earth.¹

The vigor of the principle proclaimed is evidenced by the mere recollection that after the lapse of eighty years of vicissitudes and diverse fortune, one of the publicists of greatest authority in England, Sir Frederick Pollock, was able in his time to state that

we have not formally repeated the affirmation of the policy of Canning in its modern application, nor have we declared that we accept a joint interest and joint duty in respect of the principles incorporated in the Monroe Doctrine, but we have done more. We have labored in accordance with this policy and with these principles.²

Formulated to check the advance of the Holy Alliance in its intention to subjugate the Spanish colonies which were struggling for their independence in South America, the Monroe Doctrine has gone on developing, adapting itself to the needs of the times and extending its influence until it has been converted into the formula of foreign policy of the new world. We may repeat the eloquent and prophetic expression of Jefferson that it marks the course that we are to follow in the ocean of time that is opening before us.

The Monroe Doctrine is in fact a formula of independence. It imposes no dominion and no superiority. Much less does it establish protectorates or relations of superior to inferior. It creates no obligations and no responsibilities between the nations of America, but simply calls upon all of them, with their own means and without foreign aid, to exclude from within their respective frontiers the jurisdiction of European Powers. Proclaimed by the United States in the interest of its own peace and security, the other Republics of the continent have in their turn proceeded to adopt it with an eye alone to their own individual welfare and internal tranquility.

This moral consort of intentions and tendencies constitutes in itself alone a great force without need of treaties or formal alliances or definite obligations. Thus understood the Monroe Doctrine, which in the end is nothing more than the expression of the will of the people to maintain their liberty, assures the independence of the states of that continent in respect of one another as well as in relation to the Powers of Europe. John Quincy Adams, the principal inspirer if not the author of the message of President Monroe, expressly said:

¹ Moore, *Digest*, vol. VI, p. 411.

² *Nineteenth Century and After*, October, 1903.

A necessary consequence of this state of things (independence of the Spanish-American colonies) will be that the American continents henceforth will no longer be subjects of colonization. Occupied by civilized independent nations, they will be accessible to Europeans and to each other on that footing alone.¹

Thus there does not exist for the United States in South America a sphere of influence in the sense in which Europe understands the expression. The commerce between our Republics and their powerful sister of the North is almost null as compared with that with the European nations. President Roosevelt said in one of his recent messages:

This doctrine has nothing to do with the commercial relations of any American power save that it in truth allows each of them to form such as it desires.

In a word, it is a guarantee of the commercial independence of the Americas.

Nor is it as some insinuate an antiquated principle that must in consequence fall into disuse. Scarcely eight years ago, so serious a publication as the "Annual Register" reported the existence of a project of European coalition to maintain the dominion of Spain in Cuba.²

It subsequently transpired that Austria moved by family friendship had sounded France and Germany on the subject of joint intervention. The former, whose citizens were enormously interested in the solvency of Spain, of whose securities they were the chief holders, readily acquiesced. Germany made its acceptance contingent on the co-operation of Great Britain of which neither Power doubted in view of the repeated wranglings between Great Britain and the United States. Mr. Balfour, however, who was in the absence of Lord Salisbury acting as Foreign Secretary, promptly demolished this carefully planned scheme to embroil the two English speaking countries and then to profit by the exhaustion of both. Appreciating fully the real meaning of the "friendly mediation" it was suggested should be offered, he instructed Sir Julian Pauncefote (then Ambassador to the United States) that under no circumstances would Great Britain adopt a policy which might be regarded as unfriendly by the Washington cabinet.

Sir Frederick Pollock accepts this version as practically true and adds that the projected coalition, which would have been an unjustifiable menace to the right and power of the Cubans to choose their own form of government, was not realized. How far the proposi-

¹ John Quincy Adams to Mr. Rush, July, 1823. Henderson's *American Diplomatic Questions* (New York, 1901), p. 332.

² *The Annual Register*—A review of public events at home and abroad. It was founded at the end of the 18th century by Edmund Burke, the famous orator and statesman, and is today one of the most truthful and impartial publications in England. What it contains is almost considered as official.

tions were formulated and in what measure the terms of England's refusal were categoric and how positive was the intimation that they could not count upon even its neutrality are matters that after all are of no great importance. What since 1898 has remained established as certain is that if any new coalition of this nature is undertaken, the moral as well as the physical force of the British Empire will support the United States.

The theory or what we might call the principle of non-colonization of the doctrine has thus made much progress in recent years, much more than could have been suspected when Bismarck, with more wit than prevision, qualified it as a "simple international impertinence." Keeping in view its own resources and circumstances, the United States limited itself at times to a mere expression of sympathy or moral support to its oppressed sisters, as in 1846, the year of the blockade of the River Platte by the squadrons of France and England.¹

On other occasions the American Union has found itself forced to temporize, as in Mexico during the Napoleonic invasion until the war of secession having been terminated it could demand the immediate withdrawal of the French troops, the beginning of the bloody episode that ended in the tragedy of Queretaro. On other occasions, finally, it imposed arbitration, as in the first Venezuelan controversy, and has contributed, as in the case of Cuba, with its wealth and its blood to the emancipation of a people. But always and in all cases it has made itself felt in the universal intelligence by this exalted principle of military policy. Some of the great nations have expressly recognized this principle: "Accepting as we do accept frankly and without reserve the Monroe Doctrine to which the United States seems to attribute so much importance," said the Duke of Devonshire not long ago in the House of Lords.²

¹ Mr. Buchanan wrote in 1846: "The late annual message of the President to Congress has so clearly presented the great American doctrine in opposition to the interference of European governments in the internal concerns of the nations of this continent that it is deemed unnecessary to add another word upon this subject. That Great Britain and France have flagrantly violated this principle by their armed intervention on the La Plata is manifest to the whole world. Whilst existing circumstances render it impossible for the United States to take part in the present war; yet the President desires that the whole moral influence of this Republic should be cast into the scale of the injured party. We cordially wish the Argentine Republic success in its struggle against foreign interference." Although the United States had in its possession, in 1846, information that would justify it in extending recognition to Paraguay as an independent state, yet the President determined to suspend action on the subject "purely from regard to the Argentine Republic and in consideration of the heroic struggle" which it was "maintaining against the armed intervention of Great Britain and France in the concerns of the Republics on the La Plata and its tributaries." Moore, *Digest*, vol. VI, pp. 422, 423.

² Hansard's House of Lords, February 17, 1903.

Lord Cranborne affirmed in the House of Commons that no nation had endeavored more than England to support the United States in the maintenance of the Monroe Doctrine.¹

The Prime Minister, Mr. Balfour, stated in turn in a speech delivered in Liverpool that the Monroe Doctrine has no enemies in England; that England desired neither colonization nor the acquisition of territory in the western hemisphere; and that it had not the least intention of concerning itself with the mode of government of any portion of that continent.²

It is not to be expected that Germany would accept this doctrine with like enthusiasm. However, something very similar to an explicit recognition is found in the *memoria* in which the Imperial Ambassador communicated to the United States the action which his government thought to take in Venezuela.

We consider it of importance to let first of all the government of the United States know about our purposes so that we can prove that we have nothing else in view than to help those of our citizens who have suffered damages. . . . We declare especially that under no circumstances do we consider in our proceedings the acquisition or the permanent occupation of Venezuelan territory.³

Nor is this all. In the first Hague Conference the United States signed the Treaty of Arbitration which is to-day in force, with the express reservation (which the other Powers unanimously accepted) that

nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not entering upon, interfering with, or entangling itself in the political questions or internal administration of any foreign state, nor shall anything contained in the said convention be so construed as to require the relinquishment by the United States of America of its traditional attitude toward purely American questions.⁴

The Monroe Doctrine having been accepted in this way by the silent acquiescence of the signatory Powers and having in a certain manner been incorporated into the law of nations, it appears that war measures for the collection of public debts ought to have been excluded from South America. But this is not so. Up to the present moment it is supposed in Europe that blockades and the seizure of the customs are perfectly compatible with the independence and

¹ See Hansard's House of Commons, 15th December, 1902.

² *Review of Reviews*, March, 1903.

³ Pro Memoria of the Imperial German Embassy at Washington of December 11, 1901; *Foreign Relations*, 1901, p. 192; See Moore, *Digest*, vol. vi, p. 588.

⁴ Holls, *The Peace Conference at The Hague* (New York, 1900), p. 270.

liberty of action of the American governments. Lord Cranborne said in the House of Commons that the United States themselves recognized that in England's conduct toward Venezuela there was nothing contrary to the Monroe Doctrine, and this affirmation appears to be in accordance with the words of President Roosevelt in his message of 1901 that served as a reply, first, to the German Emperor and later to the Argentine note.

We do not guarantee any state against punishment if it misconduct itself, provided that punishment does not take the form of the acquisition of territory by any non-American power.¹

It remains to be proven whether insolvency incurred in good faith as a consequence of the failure of the crops or other phenomena of nature, insolvency of the genuineness of which the creditor is the only judge, may be qualified as misconduct and as deserving punishment. The form of chastisement which the German Emperor proposed was as follows:

After the posing of an ultimatum, first of all the blockade of the more important Venezuelan harbors (that is principally the harbors of La Guerra and Puerto Cabello) would have to be considered as an appropriate measure of coercion, as the levying of duties for imports and exports being nearly the only source of income of Venezuela would in this way be made impossible. Likewise it would be difficult in this way to provide the country, which depends on its imports of corn, with food. If this measure does not seem efficient we would have to consider the temporary occupation on our part of different Venezuelan harbor places and the levying of duties in those places.²

These were rigorous measures and well calculated to force the hand of the Venezuelan government and to wrest from it concessions and recognitions that might be justified or not.

This is precisely the question made by the Argentine note:

Collection of debts by military force presupposes the occupation of the soil in order to make them effective and the occupation of the soil means the suppression or subordination of the local governments of the countries in which it is effective, which is contrary to the Monroe Doctrine.

President Monroe's Message of 1823 established, as we have said, not only that this country was not in the future open to European colonization, but also that the Powers of Europe could not oppress the new nations or in any manner control their destinies.³

¹ *Foreign Relations*, 1902, p. 195; Moore, *Digest*, vol. VI, p. 590.

² Moore, *ibid.*, pp. 588, 589.

³ This second declaration, according to Mr. Foster, the distinguished ex-Secretary of State of the United States, incorporates a living principle which should be applied every time that circumstances demand it. Foster, *A Century of American Diplomacy*, p. 442.

And it must be recognized that there is no form of control more effective and no question more immediate than that which results from an embargo of the revenues or resources of a country. The statement that the material possession of the soil and these embargoes are transitory does not in any manner change this fact. It is sufficient to recall that Great Britain has for twenty-six years administered the government of Egypt temporarily and transitorily and with the sole object of controlling its finances. The forcible collection of debts with the accompanying acts of violence would thus in more than one instance expose the Monroe Doctrine to violation.

This abnormal situation it is that the United States has sought to avoid by various offers of arbitration. When in 1861 England, Spain, and France resolved to intervene in Mexico as a consequence of the suspension of the payments on the foreign debt decreed by President Juarez, Secretary Seward, fearing violation of American soil by the parties to the expedition, conceived the idea of the negotiation of a treaty with the debtor republic by which the United States was to assume the debt of that country for a period of five years and thus dissipate every incentive to foreign intervention. The American Senate disapproved this proceeding and the events followed in the manner now well known,—concluding with the evacuation of the territory by France, which from the first moment had been left as the only party in the contest. The Monroe Doctrine was thus compelled to oppose its direct veto to the ambition of Napoleon. In 1904 a new act of coercion on the part of the nations of Europe seemed imminent in the case of the Republic of Santo Domingo, which had fallen into complete bankruptcy. President Roosevelt avoided the repetition of the scenes of Venezuela by concluding the Treaty of February 4, 1905, which in more than one respect is similar to that projected at an earlier date by Mr. Seward. By this arrangement the United States at the same time that they guaranteed the territorial integrity of the Dominican Republic, take charge of the customs, administer the revenues, and divide the proceeds among the creditors to the account of their respective claims, exactly as an administrator or receiver of an insolvent commercial concern would do. We understand this treaty has received the ratification of the American Senate, but before it went into effect the government of the island, by a provisional convention appointed certain persons confidentially proposed by the President of the Union, to receive and administer the customs.

The reasons for this treaty have been expounded in a thorough manner by the American President in his message to the Senate:

When the condition of affairs becomes such as it has become in Santo Domingo either we must submit to the likelihood of the infringement of the Monroe Doctrine or we must ourselves agree to some such arrangement as that herewith submitted to the Senate. . . . Under it the custom houses will be administered peacefully, honestly and economically, forty-five per cent. of the proceeds being turned over to the Dominican government and the remainder being used by the United States to pay what portion of the debts it is possible to pay on an equitable basis. . . . We on our part are simply performing in peaceful manner not only with the cordial acquiescence but in accordance with the earnest request of the Government concerned, part of that international duty which is necessarily involved in the assertion of the Monroe Doctrine. We are bound to show that we performed this duty in good faith and without any intention of aggrandizing ourselves at the expense of our weaker neighbors or of conducting ourselves otherwise than so as to benefit both these weaker neighbors and those European Powers which may be brought into contact with them. It is in the highest degree necessary that we should prove by our action that the world may trust in our good faith and may understand that this international duty will be performed by us within our own sphere in the interests not merely of ourselves but of all other nations and with strict justice towards all. If this is done, a general acceptance of the Monroe Doctrine will, in the end, surely follow; and this will mean an increase of the sphere in which peaceful measures for the settlement of international difficulties gradually displace those of a warlike character.¹

From the spirit of the Dominican Treaty it will thus be seen that the right of European Powers to collect by force in this continent the debts due to their subjects is recognized, but inasmuch as this can only be effected by the occupation of the soil and of the customs, the United States, in order to safeguard the Monroe Doctrine, assumes a sort of supreme magistracy or of superintendence of the South American nations that have fallen behind in the matter of their revenues, making itself the administrator of their finances in order equitably to apportion them among the creditors who certainly, unless their vision is greatly distorted, will recognize their

¹ President Roosevelt's Message to the Senate, February 15, 1905, in Moore's *Digest*, vol. VI, pp. 527, 528. See also his message of December of the same year, in which he says: "We must make it evident that we do not intend to permit the Monroe Doctrine to be used by any nation on this continent as a shield to protect it from the consequences of its own misdeeds against foreign nations." And farther on he observes: "We are liable at any time to be brought face to face with disagreeable alternatives. On the one hand this country would certainly decline to go to war to prevent a foreign government from collecting a just debt; on the other hand it is very inadvisable to permit any foreign Power to take possession, even temporarily, of the customs houses of an American Republic in order to enforce the payment of its obligations. . . . The only escape from these alternatives may at any time be that we must ourselves undertake to bring about some arrangement by which so much as possible of a just obligation shall be paid." *The Annual Register*, 1905, new series, pp. 449, 450.

good fortune in finding an agent so powerful to defend their interests. The expedient is beyond a doubt efficient for the purpose of momentarily warding off European intervention, but it has very grave defects. The certainty of immediate recovery without molestation will tend in certain countries to foment questionable loans and far from scrupulous negotiations, so often contracted with revolutionary governments and fortuitous dictators, who do not hesitate to burden the coming generation with measures that compromise economically the future of the country and its ultimate development. This expedient has the further more serious defect that it, in a certain measure, does violence to the sovereignty and in consequence wounds the susceptibilities of the State that has fallen into discredit, even though it may have agreed by treaty to delegate to its powerful protector a part of its governmental functions. This delicate relation would surely contribute to produce estrangement and arouse between the United States and the other nations of America a feeling of envy or jealousy, whereas everything ought to be done to smooth the way to perfect cordiality and good understanding. The *National Review* of London recently said that if the Drago Doctrine were accepted, the Monroe Doctrine would lose its terror for South America; the fearful vision of the United States in the exercise of international police functions thus disappearing. It is the fear that the United States may assume these functions that keeps the two continents separated.¹

But the ideals of government are, or ought before all to be experimental and consequently advance slowly and laboriously. Communities with their vast, intricate and complex mechanism have to be handled with great tact and infinite precaution, owing to a series of transactions and compromises with necessity and with circumstances that change in aspect from moment to moment. This problem is more arduous in international relations because the prejudices of great groups of men and their natural tendencies have to be conciliated.

LETTER OF DR. DRAGO TO THE MINISTER OF FOREIGN AFFAIRS OF
THE ARGENTINE REPUBLIC, MAY 9, 1906²

DEAR MR. MINISTER: The doctrine maintained by the Argentine Republic with respect to the forced collection of public debts

¹ *National Review* "American Affairs," London, November, 1906, p. 507.

² *Hispania*, September 1, 1912, p. 292.

is contained in the following words taken from the note of December 29, 1902:

the principle which she would like to see recognized is: that the public debt can not occasion armed intervention nor even the actual occupation of the territory of American nations by a European Power.

The same document adds that:

in very recent times there has been observed a marked tendency among the publicists and in the various expressions of European opinion to call attention to these countries as a suitable field for future territorial expansion. Thinkers of the highest order have pointed out the desirability of turning in this direction the great efforts which the principal powers of Europe have exerted for the conquest of sterile regions with trying climates and in remote regions of the earth. . . .

The human tendency to expansion, thus inflamed by the suggestions of public opinion and the press, may, at any moment, take an aggressive direction. . . . And it will not be denied that the simplest way to the setting aside and easy ejection of the rightful authorities by European governments is just this way of financial interventions—as might be shown by many examples.

The note terminates to the effect that in spite of the sympathy which England inspires in us, we would not adhere to her policy "in the probable case of her attempting to oppress the nationalities of this continent which are struggling for their own progress, which have already overcome the greatest difficulties and will surely triumph—to the honor of democratic institutions."

We maintained, therefore, an American thesis, by solidarity with the nations of this continent, with scope and purposes purely American. We enunciated it as a result of the Venezuelan conflict, because Venezuela is a sister republic. We would not have spoken had the country compelled by force to pay its debts been Turkey or Greece.

Meanwhile, as I have had the honor of hearing from your own lips, your Excellency thinks that the Argentine doctrine should not be limited to America, but that, on the contrary, it should be sustained as a universal juridical principle applicable to all the civilized nations of the old and new continents. This establishes a fundamental difference between your Excellency's point of view and mine. The doctrine of the note of December 29, 1902, is not a juridical doctrine properly speaking, although it invokes in its support very solid reasons of law. It is, before and above all, a doctrine of American international policy, which we have been able to formulate only

as a political doctrine, and which we can hope to make triumph only on political grounds.

This is, in truth, one of the typical cases of the proverb that the better is enemy of the good. At first sight it undoubtedly appears more noble, more exalted, more conformable to reason and law to condemn forced collection of public debts in all the civilized world, but we ourselves are not interested politically in the recognition of this principle as a rule of universal conduct. What interests us is to abolish in the present state of international relations the only method or pretext by which the Powers of the earth might stop the progress of the nationalities of this hemisphere, which are growing bold in the protection of their institutions. Conquest, as such, having been eliminated in principle, we wish to eliminate it likewise under the guise of financial interventions. When the United States proclaimed that they would view "any interposition for the purpose of oppressing them, or controlling in any other manner their destiny," by any Power as an unfriendly act, they deliberately circumscribed their action to what really concerned them. It would have been more generous and conformable to reason and the humanitarian ideal, perhaps, to generalize that declaration, by protesting against the oppression of civilized races throughout the world, but the result would have been infinitely less practical. England has today officially accepted the Monroe Doctrine, very probably because its scope is limited to America. Everything leads to the supposition that it would continue to withhold its recognition if it embodied a standard of action which would prevent colonization in other regions of the globe. In like manner the forced collection of public debts might perhaps be abolished with respect to the American nations, for political and diplomatic reasons, provided that the European Powers were not put in the position of making declarations of a general character to this effect. Thus, for example, it would perhaps not be impossible for England to accept the Argentine doctrine with respect to the South American States, as it has admitted the Monroe Doctrine with respect to them, but it is a mistake to suppose that it would ever declare its intervention in Egypt illegal, any more than that France would acknowledge as irregular its procedure in constituting the commission of *dual control* in that country.

As a thesis of American policy, we can maintain the doctrine of the note of December 29 with some hope of more or less remote success, and it is likewise in this conception, and by treating of

interests that directly concern us, that we have the legal capacity to initiate, as we have done, for the first time, a principle which comes in this way to be ours, constituting, in its limited scope, an Argentine diplomatic document, not a postulate of universal law.

I believe, moreover, in view of the fact that the Drago Doctrine, as such American doctrine, has gained much favorable support, it would not be wise to change it or extend it, thereby drawing upon ourselves the hostility or displeasure of the European chancelleries. We would thus compromise our American contention, already difficult in itself, for the sake of the far interests of nations completely foreign to us, when we can in no way be affected by the form in which they fulfil their obligations or are compelled to pay their debts.

One more fundamental reason prevents me from accepting the honorable commission for which the Government proposed to designate me. I believe that the Monroe Doctrine has been accepted by our country, first, by Sarmiento in his mission to the United States, then, in 1885, officially by Minister Quesada, and lastly, in 1902, by the undersigned, in referring in the note of December 29 to the previous declarations. Your Excellency informs me that notwithstanding these antecedents you do not believe that the Monroe Doctrine can be accepted, even in its original form, without involving a kind of diminution of, or interference with, our national sovereignty. I believe that the Monroe Doctrine guarantees our independence, and is today our best safeguard against the ambitions of the colonizing Powers, without the slightest detriment to our sovereignty or to our self-respect. It does not represent in any manner a protectorate, either in reality or as a recourse of rhetorical argument, for neither do the United States contract any obligation relative to us, nor do we on our part pledge ourselves to do more than exclude European jurisdiction, by our own means and without foreign assistance, within the limits of our territory. Moreover, we do not feel nor have we ever felt the weight of the influence or patronage of North America in our internal or external policy, and it is my opinion that we can well be close and sincere friends of this great democratic nation, whose institutions we have adopted and whose great example we should follow.

Meanwhile, it is not certain that the Monroe Doctrine will not be discussed in the Pan American Congress. Although it is not included as a subject on the program of deliberations, it may unexpectedly arise *apropos* of some incidental debate. And it is well to

bear in mind in this respect that our note holds in high esteem the American declarations relative to the impression that will be produced by any act on the part of a European Power for the purpose of oppressing the independent nationalities of this hemisphere or of "controlling in any manner their destiny." We have held that financial interventions are acts of oppression and represent at the same time an inadmissible control; they are, therefore, logically comprised in the proposition of Monroe, to which our doctrine gives an "extensive conception," to use the words of a distinguished French internationalist who has studied the question very fully. Perhaps for this reason our note is included in the American official publication of documents relative to the international relations of the United States under this heading: "*Monroe Doctrine and Diplomatic Claims of European Powers.*" In view of these antecedents what would be my attitude if the representatives of other nations should refer in any way to the Monroe Doctrine, knowing as I do the present opinion of the Government? I could not retract my former declarations, and would plainly fail to support your Excellency's policy if I did not do so, with detriment to my convictions and personal circumspection.

These reasons and others which I have explained verbally to your Excellency justify my attitude in not accepting the pleasing and honorable offer to attend as Argentine delegate the Pan American Congress of Rio de Janeiro.

I shall remain ever grateful to his Excellency the President of the Republic and to your Excellency for the high distinction implied by your consideration of my humble person for the discharge of such a high and difficult mission.

F. GARCÍA CALDERÓN ¹

The Teutonic invasion is troubling our Ibero-American writers. The tutelary protection of the United States does not suffice to make them forget the European peril; memories of the Holy Alliance, of that crusade of religious absolutism and reconquest, are still lively in Latin America.

¹ Peruvian diplomatist and writer. The following extract is from his work entitled *Latin America: Its Rise and Progress*, being an English translation of his original Spanish treatise by Bernard Miall, London, 1913, pp. 290-312 *passim*, 392-93.

Three great nations—England, France, Germany—aspired to establish their supremacy oversea in a lasting manner. England, a colonising power in all parts of the world, thought to rule at Buenos-Ayres; the defence of that Spanish city by the Viceroy Liniers was, says Onésime Reclus, the Latin revenge for the taking of Quebec. France attacked Mexico, and forced a monarch upon her; England and a French monarch sent expeditions against the nationalist dictator Rosas, and Lord Salisbury, in a diplomatic duel with the North American Secretary of State, Mr. Olney, attempted to ignore the tutelary significance of the Monroe Doctrine.

The triumphs of these attempts would have founded in Latin America extensive colonies, proud and populous. The efforts of the ill-organised republics could not have prevailed against them.

For the new continent this would have meant a loss of autonomy; but the Monroe doctrine stood in the way of any conquests save those made by the United States, and a sudden disagreement between the two invading nations, France and England, in their campaign against Rosas, caused these attempts to miscarry. The three Guianas, British Honduras, and some of the West Indian islands, bear witness to the ambitions of Europe; they are the scattered fragments of the empire which the Old World coveted. Invasions of capital and of merchant vessels quickly replaced those of war-ships. . . .

Against flat invasion by any power the tutelage of the United States is a protection, but the Monroe doctrine is powerless against the slow and imperceptible invasion of German immigration. By virtue of their capital and their adventurers, Germany and the United States are slowly occupying South America; other continents being closed to their ambitions of expansion, it is in the free territory of the New World that they found their colonies. . . .

While the emigrants are realising their imperialistic Odyssey, German professors are condemning the Monroe doctrine. Hugo Münsterberg, professor of philosophy at Harvard, and Adolf Wagner, an economist of Berlin, regard the Yankee thesis merely as a perishable improvisation upon a fragile foundation. The interest of Germany demands that the United States should abandon their tutelage, and that the swarming Germanic legions should invade the southern continent. Münsterberg writes in his book *The Americans* that the Yankee will soon realise "the error and folly" of his argument, which he qualifies as a moribund doctrine. No Russian, French, or

Italian colony in South America, he says, could create difficulties in the United States; but the doctrine which forbids their establishment will be the cause of conflicts in the future. If South America were set free from this tutelage, if its bearing were limited to Central America, the possibilities of a conflict between the United States and Europe would be considerably diminished. Does not this disinterested counsel conceal a desire to found colonies upon a continent which the vigilance of the United States would no longer protect? . . .

The tutelage of the United States seems to us more dangerous than the German invasion.

To save themselves from Yankee imperialism the American democracies would almost accept a German alliance, or the aid of Japanese arms; everywhere the Americans of the North are feared. In the Antilles and in Central America hostility against the Anglo-Saxon invaders assumes the character of a Latin crusade. Do the United States deserve this hatred? Are they not, as their diplomats preach, the elder brothers, generous and protecting? And is not protection their proper vocation in a continent rent by anarchy?

We must define the different aspects of their activities in South America; a summary examination of their influence could not fail to be unjust. They have conquered new territories, but they have upheld the independence of feeble States; they aspire to the hegemony of the Latin continent, but this ambition has prevented numerous and grievous conflicts between South American nations. The moral pressure of the United States makes itself felt everywhere; the imperialist and maternal Republic intervenes in all the internal conflicts of the Spanish-speaking democracies. It excites or suppresses revolutions; it fulfills a high vocation of culture. It uses or abuses a privilege which cannot be gainsaid. The better to protect the Ibero-Americans, it has proudly raised its Pillars of Hercules against the ambition of the Old World.

Sometimes this influence becomes a monopoly, and the United States take possession of the markets of the South. They aim at making a trust of the South American republics, the supreme dream of their multi-millionaire *conquistadors*. Alberdi has said that there they are the "Puerto Cabello" of the new America; that is to say, that they aim, after the Spanish fashion, at isolating the southern continent and becoming its exclusive purveyors of ideas and industries.

Their supremacy was excellent when it was a matter of basing the independence of twenty republics of uncertain future upon a solid foundation. The neo-Saxons did not then intervene in the wars of the South; they remained neutral and observed the peace which Washington had advocated. They proclaimed the autonomy of the continent, and contributed to conserve the originality of Southern America by forbidding the formation of colonies in its empty territories, and by defending the republican and democratic States against reactionary Europe.

But who will deliver the Ibero-Americans from the excess of this influence? *Quis custodiet custodem?* An irresponsible supremacy is perilous.

Naturally, in the relations of the United States and the nations of the South actions do not always correspond with words; the art of oratory is lavish with a fraternal idealism, but strong wills enforce their imperialistic ambitions. Although fully attentive to the fair-sounding promises of the North, the statesmen of the South refuse to believe in the friendship of the Yankees; being perturbed by the memory of ancient and recent conquests, these peoples perhaps exaggerate the danger which might come from the North. A blind confidence and an excessive timidity are equally futile.

In 1906, at the conference of Rio de Janeiro, Secretary Root, in the presence of assembled America, was the lay profit of the new gospel.

"We do not wish," he said, "to win victories, we desire no territory but our own, nor a sovereignty more extensive than that which we desire to retain over ourselves. We consider that the independence and the equal rights of the smallest and weakest members of the family of nations deserve as much respect as those of the great empires. We pretend to no right, privilege, or power that we do not freely concede to each one of the American Republics." This was the solemn declaration of a Puritan politician; Mr. Root continues the noble tradition of Washington, Jefferson, and Hamilton.

Ten years earlier another secretary, Mr. Olney, declared to Lord Salisbury that the great Anglo-Saxon Republic was practically sovereign—paramount was his word—on the American continent, and that its fiat was law in affairs which called for its intervention. Which is the truth: the imperialistic declarations of Mr. Olney or the idealism of Mr. Root?

Against the policy of respect for Latin liberties are ranged the instincts of a triumphant plutocracy. The centre of North American

life is passing from Boston to Chicago; the citadel of the ideal gives way to the material progress of the great porcine metropolis. There is a conflict of dissimilar currents of morality. The Puritan tradition of New England seems useless in the struggle of the Far West; the conquest of the desert demands another morality; the morality of conflict, aggression, and success. The trusts raise their heads above the impotent clamour of the weak. The conflict between the new-comers is tumultuous and brutal; as in the time of imperial Rome, the latter-day republicans are becoming aware of their defeat by a new caste, animated by an impetuous love of conflict. It is the struggle between idealism and plutocracy, between the tradition of the Pilgrim Fathers and the morality of Wall Street; the patri-cians of the Senate and the bosses of Tammany Hall.

The great historical parties are divided; while the democrats do not forget the ideal of Washington and Lincoln, the republicans think only of imperialism.

Will a generous *élite* succeed in withstanding this racial tendency? Perhaps, but nothing can check the onward march of the United States. Their imperialism is an unavoidable phenomenon.

The nation which was peopled by nine millions of men in 1820 now numbers eighty millions—an immense demographic power; in the space of ten years, from 1890 to 1900, this population increased by one-fifth. By virtue of its iron, wheat, oil, and cotton, and its victorious industrialism, the democracy aspires to a world-wide significance of destiny; the consciousness of its powers is creating fresh international duties. Yankee pride increases with the endless multiplication of wealth and population, and the patriotic sentiment has reached such an intensity that it has become transformed into imperialism.

The United States buy the products they themselves lack from the tropical nations. To rule in these fertile zones would to them appear the geographical ideal of a northern people. Do not their industries demand new outlets in America and Asia? So to the old mystic ambition are added the necessities of utilitarian progress. An industrial nation, the states preach a practical Christianity to the older continents, to Europe, and to lands yet barbarous, as to South America; they profess a doctrine of aggressive idealism, a strange fusion of economic tendencies and Puritan fervour. The Christian Republic imposes its tutelage upon inferior races, and so prepares them for self-government.

This utilitarian and mystical expansion is opposed to the primitive simplicity of the Monroe doctrine. In 1823, to counter the political methods of the Holy Alliance, President Monroe upheld the republican integrity of the ancient Spanish colonies. The celebrated message declared that there were no free territories in America, thus condemning in advance any projected establishment of European colonies upon the unoccupied continent of America, and that the United States limited their political action to the New World, and renounced all intervention in the disputes of Europe.

At the close of the last century the political absolutism of the Holy Alliance was only a memory; democracy is progressing, even in the heart of the most despotic of monarchies, and France is republican. Europe, after the tragic adventure of the Mexican Empire, abandoned her expeditions of conquest. The United States, forgetting their initial isolation, intervened in the politics of the world; they defended the integrity of China, took part in the conference of Algeciras, and maintained peace in the East. Like the character in Terence, nothing in the world leaves them unconcerned. The two bases of the Monroe doctrine, the absolutism of Europe and the isolation of the United States, exist no longer, but the Monroe doctrine persists indefinitely. "If," says Mr. Coolidge, professor of political law at the University of Harvard, "if, by his principles, the American finds himself drawn to conclusions which do not please him, he ordinarily revolts, forsakes his promises, and jumps to conclusions that suit him better." To the logic of the Latins, Americans and Englishmen oppose utility, common sense, instinct.

The Monroe doctrine has undergone an essential transformation; it has passed successively from the defensive to intervention and thence to the offensive. From a theory which condemned any change of political *régime* among the new democracies under European pressure, and which forbade all acquisitions of territory, or the transfer of power from a weak to a strong nation, there arose the Polk doctrine, which, in 1845, decreed the annexation of Texas for fear of foreign intervention. In 1870 President Grant demanded the seizure of San Domingo as a measure of national protection, a new corollary of the Monroe doctrine. President Johnson was anxious to see his country in possession of Cuba in the name of the "laws of political gravitation which throw small States into the gullets of the great powers." In 1895 Secretary of State Olney, at the time of the trouble between England and Venezuela, declared

that the United States were in fact sovereign in America. From Monroe to Olney the defensive doctrine has gradually changed to a moral tutelage.

If theories change, frontiers change no less. The northern Republic has been the beneficiary of an incessant territorial expansion: in 1813 it acquired Louisiana; in 1819, Florida; in 1845 and 1850, Texas; the Mexican provinces in 1848 and 1852; and Alaska in 1858. The annexation of Hawaii took place in 1898. In the same year Porto Rico, the Philippines, Guam, and one of the Marianne Islands, passed, by the Treaty of Paris, into the hands of the United States. They obtained the Samoan Islands in 1890, wished to buy the Danish West Indies in 1902, and planted their imperialistic standard at Panama in 1903.

Interventions have become more frequent with the expansion of frontiers. The United States have recently intervened in the territory of Acre, there to found a republic of rubber gatherers; at Panama, there to develop a province and construct a canal; in Cuba, under cover of the Platt amendment, to maintain order in the interior; in San Domingo, to support the civilising revolution and overthrow the tyrants; in Venezuela, and in Central America, to enforce upon these nations, torn by intestine disorders, the political and financial tutelage of the imperial democracy. In Guatemala and Honduras the loans concluded with the monarchs of North American finance have reduced the people to a new slavery. Supervision of the customs and the dispatch of pacificatory squadrons to defend the interests of the Anglo-Saxon have enforced peace and tranquility: such are the means employed. The *New York American* announces that Mr. Pierpont Morgan proposes to encompass the finances of Latin America by a vast network of Yankee banks. Chicago merchants and Wall Street financiers created the Meat Trust in the Argentine. The United States offer millions for the purpose of converting into Yankee loans the moneys raised in London during the last century by the Latin American States; they wish to obtain a monopoly of credit. It has even been announced, although the news hardly appears probable, that a North American syndicate wished to buy enormous belts of land in Guatemala, where the English tongue is the obligatory language. The fortification of the Panama Canal, and the possible acquisition of the Galapagos Islands in the Pacific, are fresh manifestations of imperialistic progress.

The Monroe doctrine takes an aggressive form with Mr. Roose-

velt, the politician of the "big stick," and intervention *à outrance*. Roosevelt is conscious of his sacred mission; he wants a powerful army, and a navy majestically sailing the two oceans. His ambitions find an unlooked-for commentary in a book by Mr. Archibald Coolidge, the Harvard professor, upon the United States as a world-power. He therein shows the origin of the disquietude of the South Americans before the Northern peril: "When two contiguous States," he writes, "are separated by a long line of frontiers and one of the two rapidly increases, full of youth and vigor, while the other possesses, together with a small population, rich and desirable territories, and is troubled by continual revolutions which exhaust and weaken it, the first will inevitably encroach upon the second, just as water will always seek to regain its own level."

He recognises the fact that the progress accomplished by the United States is not of a nature to tranquillise the South American; "that the Yankee believes that his southern neighbours are trivial and childish peoples, and above all incapable of maintaining a proper self-government." He thinks the example of Cuba, liberated "from the rule of Spain, but not from internal troubles, will render the American of the States sceptical as to the aptitude of the Latin-American populations of mixed blood to govern themselves without disorder," and recognises that the "pacific penetration" of Mexico by American capital constitutes a possible menace to the independence of that Republic, were the death of Diaz to lead to its original state of anarchy and disturb the peace which the millionaires of the North desire to see untroubled.

Warnings, advice, distrust, invasion of capital, plans of financial hegemony—all these justify the anxiety of the southern peoples. . . . Neither irony nor grace nor scepticism, gifts of the old civilisations, can make way against the plebian brutality, the excessive optimism, the violent individualism of the people.

All these things contribute to the triumph of mediocrity; the multitude of primary schools, the vices of utilitarianism, the cult of the average citizen, the transatlantic M. Homais, and the tyranny of opinion noted by Tocqueville; and in this vulgarity, which is devoid of traditions and has no leading aristocracy, a return to the primitive type of the redskin, which has already been noted by close observers, is threatening the proud democracy. From the excessive tension of wills, from the elementary state of culture, from the perpetual unrest of life, from the harshness of the industrial struggle,

anarchy and violence will be born in the future. In a hundred years men will seek in vain for the "American soul," the "genius of America," elsewhere than in the undisciplined force or the violence which ignores moral laws. . . .

In seeking to imitate the United States we should not forget that the civilisation of the peoples of the North presents these symptoms of decadence.

Europe offers the Latin-American democracies what the latter demand of Anglo-Saxon America, which was formed in the school of Europe. We find the practical spirit, industrialism, and political liberty in England; organisation and education in Germany; and in France inventive genius, culture, wealth, great universities, and democracy. From these ruling peoples the new Latin world must indirectly receive the legacy of Western civilisation.

Essential points of difference separate the two Americas. Differences of language and therefore of spirit; the difference between Spanish Catholicism and the multiform Protestantism of the Anglo-Saxons; between the Yankee individualism and the omnipotence of the State natural to the nations of the South. In their origin, as in their race, we find fundamental antagonisms; the evolution of the North is slow and obedient to the lessons of time, to the influences of custom; the history of the southern peoples is full of revolutions, rich with dreams of an unattainable perfection.

The people of the United States hate the half-breed, and the impure marriages of whites and blacks which take place in Southern homes; no manifestation of Pan-Americanism could suffice to destroy the racial prejudice as it exists north of Mexico. The half-breeds and their descendants govern the Ibero-American democracies, and the Republic of the English and German origin entertains for the men of the tropics the same contempt which they feel for the slaves of Virginia whom Lincoln liberated.

In its friendship for them there will always be disdain; in their progress, a conquest; in their policy, a desire of hegemony. It is the fatality of blood, stronger than political affinities or geographical alliances. . . .

The Monroe doctrine, which prohibits the intervention of Europe in the affairs of America and angers the German imperialists, the professors of external expansion, like Münsterberg, may become obsolete. If Germany or Japan were to defeat the United States, this tutelary doctrine would be only a melancholy memory. Latin

America would emerge from the isolation imposed upon it by the Yankee nation, and would form part of the European concert, the combination of political forces—alliances and understandings—which is the basis of the modern equilibrium. It would become united by political ties to the nations which enrich it with their capital and buy its products.

JOSÉ VICTORINO LASTARRIA¹

If the American balance of power and the principles of democracy and mutual independence render it advisable that we should resort to actions and conventions similar to those found in Europe based on principles of strictly European interests, our practices will constitute in this respect the American common law; and just as Europe would never consent to our entering into any compact for the establishment of protectorates or for any cession of territory there, or to our interfering with her balance of power, America should not permit European monarchies to seek in our continent the realization of their ambitions.

Such was the doctrine announced by the House of Representatives of Chile on July 20, 1864, when on the occasion of a motion opposing the recognition of the Austro-French Empire in Mexico, the writer submitted to that body the resolution which was adopted.

That this declaration, of great American interest, may be better understood, I will here give the text of my resolution together with my speech recommending its adoption.

A BILL

Sole Article. The Republic of Chile does not recognize as conforming to American international law acts of European intervention in America or governments which may be constituted by virtue of such intervention, even in the event the latter may be solicited; nor shall it recognize any agreement of protectorate, cession or sale, or of any other kind which may impair the sovereignty or the independence of an American State in favor of European Powers, or which may have for its object to establish a form of government contrary to the republican representative form adopted by Spanish America.

¹ Chilean diplomat and writer of the nineteenth century. The following extract is taken from the edition of his work *La América* published by the Editorial-América, Madrid, in its series *Biblioteca de ciencias políticas y sociales*. See vol. 1, pp. 182-209. The work was first published in 1867.

"We should not confine ourselves—I said at that time—to a mere expression of opinion, when circumstances impose upon us the duty of announcing in our legislation the principle which should govern our policy as well as that of all America in the new era which Europe has now initiated by substituting the principles proclaimed by the Holy Alliance in 1823 for the principles of peaceful intercourse in her relations with Spanish America. Our first duty is to examine carefully the present situation in order to appreciate the recent attitude of Europe towards America. Let us then examine her past actions that we may better understand her present conduct.

"As soon as Ferdinand VII was placed again in absolute power by the army which France entrusted to a nephew of St. Louis for the purpose of suppressing liberal principles in Spain, he directed his attention to the reconquest of emancipated colonies in America and requested Russia, Austria, Prussia, England and France to hold a conference in Paris to decide upon the assistance to be rendered Spain in order to settle the affairs of America.

"England, bound by the many commercial interests which she had already acquired in America, and wishing to prevent France from controlling Spain in respect to her American colonies, as was already the case in the Peninsula, conducted herself in such a manner as to prevent the meeting of the congress and thwart the designs of the Holy Alliance. To accomplish this purpose she proceeded to direct her efforts to this end before the King of Spain had issued the circular note of December, 1823, containing said invitation, as in an interview had by Mr. Canning with the Prince of Polignac, the French minister, on October 9 of the same year, the principles advocated by both nations regarding the American question were established, and the British Government found there a precedent for opposing the claims advanced by Ferdinand.

"The British Government was opposed to every attempt to impose again the Spanish rule upon the American colonies, and strongly resisted the intervention of any foreign Power in this respect, and declared that any foreign intervention, of any kind whatever, would justify Great Britain in taking such measures as her interests might call for and recognizing immediately the independence of the colonies.

"The French minister declared that the mere recognition of those provinces upset by civil wars, where no government whatsoever had a shade of stability, seemed rather a clear indorsement of anarchy, and that in the interest of humanity and specially in the interest of

the colonies themselves, the European governments should consider it worthy of their dignity to agree upon the means of quelling in those distant and hardly civilized regions the blind passions aroused by party spirit, and endeavor to establish a government based on the principle of union, whether monarchical or aristocratic, for a people who were under a reign of discord resulting from absurd and dangerous theories.

"The British Government, in replying to the Spanish circular, upheld and expounded the policy adopted against the intervention of the Holy Alliance. Meanwhile Austria, Prussia, and Russia realized not only that reconquest was impossible, but that the same was true of the plan cherished by Spain and Austria for the establishment of a monarchy in America to efface the absurd and dangerous republican theories. It was then that Austria drafted the plan, together with other northern Powers, tending to secure to Spain the colonies which were still loyal to her and assist her in regaining those of doubtful loyalty, recognizing the independence of those which had really emancipated themselves. This plan was crushed by the firm attitude adopted by England, then supported by France, and above all by the attitude of America herself, inasmuch as the efforts of the American patriots were supported by the Government of the United States, which had recognized their independence since 1822, and which on December 2, 1823, upon learning of the efforts of Spain and the claims advanced by the Holy Alliance, had proclaimed through its President, the immortal Monroe, the famous declaration in which that Government announced that it was ready to prevent any foreign Power from Europe from taking part in the struggle, because the time to establish colonies in the New World had already expired.

"Since then European Powers, having in mind the warning of Great Britain and the United States on October 9 and December 2 against all intervention in America, endeavored to follow in the steps of those two powerful nations, and sought to establish relations of peaceful intercourse and mutual interest.

"Now, after a period of forty years, during which said relations have assumed a normal and legal character by virtue of treaties and practices introduced and upheld by commerce, Europe suddenly breaks away from this position and is again bent upon the purposes and principles abandoned in 1823.

"The events which have taken place during the last three years

leave no room for doubt as to this change, a change as unwarranted as it is prejudicial, which is based on a reaction both absurd and inconceivable in favor of the nonsense of the Holy Alliance. England herself has participated in it, and although her interests in America are not now so great as in 1823, she forgets them and her principles in order to comply with the will of the French emperor, who has undertaken to carry out the plans of the Holy Alliance, impelling Austria to join in this task, through the establishment of a monarchy in America, which has for its object, as did the one sought by Austria in 1823, the suppression of absurd and dangerous republican theories.

"This undertaking, at first looked upon in Europe as of doubtful results and somewhat unlawful, meets today with the approval of all the governments and statesmen of that continent, because European opinion was made ready to accept it.

"The press and parliamentary addresses of Europe show that there, especially in France, statesmen believe, as did the Prince of Polignac in 1823, that in the interest of humanity, and specially in the interest of the American countries themselves, the governments of Europe should find it worthy of themselves to adopt the principle of intervention as a means of quieting in these distant and little civilized regions the blind passions of party spirit, and endeavor to establish the principle of union through a monarchical form of government for a people who have fallen a victim to discord by reason of their adoption of absurd and dangerous doctrines.

"No one will stand up there to say, as did the Marquis of Lansdowne in the House of Lords in 1824, that those absurd theories were capable of securing our welfare, and that if America was condemned and discredited by virtue of such dissensions as occur here, as under any other form of government, the reason was to be found in the fact that ministers find it quite easy to criticize other systems of government, in order to interfere with other nations' affairs; thus it was easy for the Turk to discredit the French Government and ascribe a certain meaning to the governmental upheavals in France and to the conspiracies of which so many Frenchmen were accused.

"No, the general opinion in Europe today is that there are no institutions but mere disorders in America. The radicals themselves in England feel abased because their school is called the American school, and even the learned, who are under a greater obligation to know more than those not entitled to such a name, accuse us without other reasons than their ignorance of what is going on in

America. The statesmen who favor us most believe that we decidedly hope at this time to return to the mother country, and that day by day we are getting closer to Europe as to political ideas and interests. Such was the declaration made by the president of the Committee of the French Senate which submitted a report on the claim of M. Crochet against Peru, with the further declaration that the Latin race in these magnificent regions often remembers its origin (as though we troubled ourselves with that difference of races and based our acts on such a prejudice), and that we tend to discard the doctrines of the Anglo-Saxon race which is still loyal to the Monroe Doctrine; as though this Doctrine had for its object to shove aside the Old World and do without it, as the French senator said, and were not limited to resisting the political intervention of Europe in our domestic affairs.

"Those are the views of our best friends, with this peculiarity, that their ignorance of our affairs is so great that the same senator in the course of his address expresses his satisfaction because we have adopted the idea of an American congress, which originated in the Government of the Emperor who deserves just credit for having suggested this idea to the President of Peru.

"This being the attitude of public opinion in Europe in respect to America, it is not surprising that France and Spain, with Great Britain's acquiescence, should have taken advantage of the abnormal situation of America due to the outbreak of civil war in the United States, to carry out the principles of 1823; that is to say, forcible intervention, reconquering of the emancipated colonies, and the establishment of a European monarchy to efface republican theories in America, which are absurd and dangerous to Europe and which have suffered the greatest discredit on account of the civil war in the United States.

"Great Britain does not now oppose intervention, as she did in 1823, nor the means then proposed by France and the Holy Alliance; the words of Monroe would seem to be mere words, since the United States must tolerate interventions in our domestic affairs, although the time to establish colonies in the New World has already expired, for the United States has no means to prevent such intervention.

"How could the intervention in Mexico, the reconquest of San Domingo, and the occupation of the Chinchas be justified under any pretense whatsoever? Under the pretext of the claims of France against Mexico and those of Spain against Peru, or the demands of

the monarchical parties in Mexico and San Domingo? Not under the first, because Mexico and Peru have been always ready to acknowledge and pay those claims, and, according to the rule of international law expounded by Bello, Martens and Phillimore, the foreign creditor has merely the right to demand to be placed in the same class with other creditors of the State, his government having no right to intervene except when the debtor State resorts to fraudulent and unjust means with the obvious purpose of defeating the claims.

"England has never resorted to intervention in these cases and far has it been from her to consider them as international questions; she would only do this, as was said by Lord Palmerston in his circular of 1848 sent to diplomatic agents, in case the claims involved an extraordinarily great loss and there were no peaceful means of compelling the debtor government to fulfill its obligations.

"Less still under the second pretext, because, though the nations of Europe have intervened in civil wars on the request of one of the belligerent parties, as did Russia against the Hungarians in Austria in 1848, such a practice cannot on principle justify that which in the nature of things is unjust.

"As soon as a belligerent party requests the assistance of a foreign Power, it is guilty of an insult to the sovereignty of its country and commits treason; and if civil questions can have no other rational solution than the will of the majority in the nation, it is evident that we cannot reconcile the very existence of the nation, her sovereignty, and her honor with the intervention of a foreign Power, though this is requested by one of the contending parties.

"Should we forget these principles in America, as they have been forgotten in Mexico and San Domingo, and should we tolerate European intervention based on a similar rejection of those principles, we would have to surrender our political existence, and furnish Europe with the easiest and most appropriate means of controlling our destinies. Let the nations of Europe interfere with each other to preserve what they call their balance of power; but we should not allow them to interfere with our affairs and take advantage of their power and wealth in this respect, because there is nothing common in the policy of the European balance of power and the international policy of America.

"As to politics, Europe and America are diametrically opposed to each other, notwithstanding the fact that science, industry and

Europeans can become acclimated in America and contribute to our progress. There monarchical ideas and socialism, with their misguidance, with their great prejudices and deeply rooted interests, leading to absolute corruption, constitute an entity and a system of thought not to be found here, which cannot have advocates in the American nations of English and Spanish origin, where simple republican forms have created principles and interests unknown to the nations of Europe.

"How could we then acquiesce in the intervention and intermeddling by European nations in our affairs, in our sovereignty and in our political entity, without thereby weakening the foundations of our existence and without surrendering our destiny to whatever laws the monarchical interests of Europe should deem it wise to dictate?

"Such are the precedents by which we now feel bound to proclaim a general principle as a base for the structure of our policy and that of all the countries of America in the new epoch opened by Europe, instead of limiting ourselves to expressing the opinion of the House relative to the Mexican Empire. That is not the only point to be considered in our international policy: another monarchy might be established in San Domingo later on, a protectorate in Ecuador, and we know not what else, as a result of the policy of the Holy Alliance, the Europeans will undertake to do in America under the leadership of powerful France.

"It is impossible to leave to the changeable policy of the Executive the decision of the attitude to be assumed by Chile in all these emergencies. Without injury to its patriotism, a government may be influenced by the suggestions, the threats and other numerous means employed by European diplomacy, and even by the views of the men in charge of said government, in sanctioning an act or accepting a doctrine which Europe might perform or proclaim in America, in accordance with the new European policy.

"That procedure would give rise to anarchy in the international relations of America, and might bind us in such a way as to compel us to acquiesce afterwards in all the effects of such a precedent although it were incompatible with our honor and our interests.

"By adopting the principle which I propose in my resolution, we can check European diplomacy, and our governments will not waste their time in futile discussions, or ill-founded hopes or fears, when the time arrives for them to condemn some of the acts threatened by the policy of the Holy Alliance.

"There is no exaggeration or novelty in this. I know very well that though ideas cannot be destroyed, they die a natural death through exaggeration. The proposed principle is logically based upon our relations with Europe since 1823, and has been ever since proclaimed and defended by various American nations, following the example of England, which on October 9, 1823, expressed, through Mr. Canning, her disapproval of those European interventions in America with which she is now so well pleased.

"Aside from the protestations of the Republic of Colombia during the war of independence against the claims of Spain and her allies, suffice it for me to draw the attention of the House to the message of the immortal Monroe, President of the United States, to Congress in 1823, reiterating his former declaration, due to the persistence of the Holy Alliance in its absurdities, and declaring that any attempt on the part of European Powers to extend their system of national intervention to any part of America, would be considered as dangerous to the peace and security of the United States; and that any interposition on the part of European Powers with a view to forcing by any means whatever the governments of America which have established their independence, would be taken as evidence of an unfriendly attitude towards the United States.

"This declaration was adopted and proclaimed as a canon of American international law by the Congress of the United States, which also announced that no further colonization of any part of the American continent by European Powers would be tolerated. John Quincy Adams, who succeeded Monroe, extended the scope of this Doctrine until it became one of the political bases to be adopted by the Congress of all American Nations.

"In his message to the Senate of December 26, 1823, recommending the confirmation of the plenipotentiaries of the United States to the said Congress, he used the following language: 'An agreement between all the parties represented at the meeting that each will guard by its own means against the establishment of any future European colony within its borders may be found advisable. This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence.'

"That principle, adopted by the Senate of the United States on

the occasion of the meeting of an American Congress, and on various occasions reiterated by the Congress, is the one contained in the first part of my resolution, as an essential corollary to the continued sovereignty of Chile.

"Nor is the second part unsupported by precedents, for less than a year ago the United States of Colombia enacted a law to the same effect, as a result of the predicament in which they found themselves, a situation from which we can not say we are free, even though we rely upon the benevolence of European governments. I refer to a very famous case.

"The French Minister in Bogota appeared before the Government of Colombia to notify said Government (mind you gentlemen of the House) that His Majesty the Emperor of France would not sanction the inclusion of Ecuador in the Colombian Union. The Government of Colombia was naturally alarmed. What would the Government of Chile do should it be informed one of these days of the wish of the Emperor of France regarding our domestic affairs?

"The Government of Colombia abandoned all diplomatic activities and realizing that such an extraordinary notification had its origin in the treaty of protectorate pending between Ecuador and France, appealed to the Congress to announce in its legislation the principle that no treaty or protectorate or cession, of purchase, or of any other kind whatsoever, which tended to limit the sovereignty of any American State would be recognized, and informed the other governments of the continent of the matter, in order that they might better realize the claims advanced by Europe.

"The declarations which I move to be inserted in our legislation as a basis of our diplomatic relations are not, therefore, novel or overstated, and the circumstances which have given them birth on other occasions still prevail and impose on us the duty of making said declarations. It has been said, whether we deserve that praise or not, that Chile is the guardian of American republics, and it behooves our country to become worthy of this credit by taking advantage of our present situation to announce and support the Doctrine which our northern neighbors are unable to defend, after they instilled it into us, the doctrine which was announced by Colombia when placed in a situation which may sooner or later arise in any of the American States. If Chile imparts authority and form to these principles, sooner or later she will be supported and followed by all other American republics."

XV

The new principle has not as yet become a law, notwithstanding the approval of one of the legislative chambers of Chile, and notwithstanding the fact that it was submitted to the consideration of the congresses of Peru and Bolivia. That result will be attained sooner or later, when the American Governments are convinced that a policy of fear and hesitation towards European Powers will never persuade Europe to alter her policies in America. We might say of all Europe what the Committee on Foreign Affairs of the House of Representatives of the United States said about France, referring to the constitutional question whether Congress alone had the power to recognize the Empire of Mexico:

It is vain—the committee said—to suppose that such a declaration increases the danger of war with France. The Emperor of the French will make war on the United States when it suits his convenience, and it can be done without danger to his dynastic interests. Till then, in the absence of wrong or insult on our part, there will be no war. When the time arrives we shall have war, no matter how *meek, inoffensive, or pusillanimous* our conduct may be, for *our sin is our freedom* and our power, and the only safety of monarchical, imperial, aristocratic, or despotic *rule*, lies in our *failure or our overthrow*.

That is the truth. The American Governments should frankly accept the position in which nature and circumstances and the kind of principle to which they owe their existence have placed them. This is not tantamount to advising them to struggle with Europe: that is not the point; it is simply to remind them that they are under an obligation to defend their personality and carry out the work outlined by the principles for which they stand and which they are bound to support and maintain in America.

When the time comes we will have war, a war necessarily resulting from conflicting political interests of two continents; it matters not whether we have done injustice or committed insults; be our conduct meek, inoffensive, and faint-hearted, or be it favorable and friendly to European Powers.

But if the governments have hesitated to adopt the principle, the public opinion of all Spanish America has not wavered in accepting it. The only objections to the principle come from the Brazilian press. There the thought of an American league against Europe is condemned, as if the alliance proposed in the American congresses convened up to this time were in the nature of such a league against Europe.

The work of those congresses and their discussions prove the opposite; the alliance is limited to the common defense, in case of attack upon the independence and sovereignty of any of its members; but it does not include, as is generally believed, cases in which a European State can lawfully resort to forcible means under the law of nations to obtain from any American country whatever reparations may be due. It has been necessary to resort to calumny in order to discredit the idea; to confuse the necessity of America to fix and elucidate her rights and defend them, with the proposition of a league to make war on Europe, a thought which is absent from our minds. The objections mentioned are not only directed against that alliance, a matter which is still open to discussion, but also and more especially against the application of the principles of the Monroe Doctrine to all America.

It is believed that the reason for this policy no longer exists, and that the circumstances which brought it about in 1823 are already extinct. It is alleged that America should not have a special policy of her own, inasmuch as this would lead us to the conclusion that the five different parts of the world represent as many distinct and rival policies; which would be against the dogma of civilization and Christianity for the union of humanity in the accomplishment of one aim, and constitute an allegation of the existence of two kinds of justice, one for America and the other for Europe, an international law to serve the purposes of the countries of the New World and another for those of the Old World. It is also declared that there is not such a thing as a European policy, and that in order to justify the framing of an American policy along the lines of the Monroe Doctrine, it would be necessary for all Europe to form an alliance against America, or that the Holy Alliance should come again into being.

If America has and should have a policy of its own, it is not because of its being a part of the world or of a continent other than Europe, but due to the principles, the ideas, habits, and even the prejudices which characterize the political life, and which give rise to different interests in both continents, as we have shown.

If that difference exists between all and each one of the five parts of the globe, and if those of the Old World were not bound together by principles and interests analogous to those prevailing in Europe, we would also advocate that which seems to Brazil a profanation of the dogma of civilization aiming at the union of all mankind. The criticism with which the American doctrine has met is not surprising;

neither would it be surprising that it should be believed that the Christian dogma now invoked must necessarily apply when the heathen and therefore anti-Christian principle of a Latin monarchy is universally accepted.

But if it is reasonable to believe that the union of mankind cannot be accomplished without democracy, it must be admitted also that the principles of public life of democratic America and those of a monarchical Europe cannot be identical, and it is imperative, not that there be two kinds of justice, nor two international laws for the private use of the countries of the New World and those of the Old, but that the absurdities to which monarchical interests in Europe have given the character of European common law should not longer be accepted and applied in America, because justice, which is the same throughout the world, abhors and condemns them, and renders them impracticable where she prevails under democratic institutions, which prefer the interests of the people to monarchical and aristocratic privileges.

On the other hand, to feel that there is not in fact a European policy, because there is not an alliance against America, is to ignore the multitude of historical events which bear witness to the fact that it is not necessary for European countries to enter into an alliance in order to act and induce them to adopt a hostile attitude towards American interests.

That belief is worthy of those who, notwithstanding their familiarity with the history of the recent invasion of Mexico, and notwithstanding their knowledge of the fact that those antagonistic interests were instantly revealed and naturally adopted in the alliance of London, still maintain that the Mexican question dealt merely with reparations and claims, and that the Archduke of Austria was proclaimed emperor by the *will of the people*, much like Leopold of Belgium, and Otho and George I of Greece.

True Americans are not thus blind to truth and facts, and they know, on the contrary, that those selfish interests of Europe come into play with or without alliances, spontaneously or at the request of American traitors who seek through those means the realization of sordid interests. The plots of France and Spain to establish monarchies in America, defeated in 1828 and 1829 by the diplomacy of the United States, needed no general alliance, not even the support of that alliance which in 1823 was called Holy and whose aims were identical.

The expedition of Queen Christina and of Flores in 1846 was an isolated fact also not brought about by a continental alliance. Nor did the efforts of Trinité and of Garcia Moreno, as evidenced by their own letters, to establish the protectorate of France in Ecuador, require the cooperation of Europe, though they were a natural result of that policy which is believed to be non-existent.

The treaties of Cabarrus in Central America, which gave rise to the mission entrusted by Carrera to Berriosola to negotiate in Europe the annexation of that part of the continent to the new Mexican Empire, were not the work of all Europe either, though it is the work of her policy and her anti-American interests. The same may be said of the acts of Spain against the independence of San Domingo, against Peru and Chile, which are evidence of the fact that the danger of 1823 is not entirely over.

Such is the general feeling throughout America, though not in Brazil. If we did not have conclusive evidence to establish it, it would be sufficient to cite the strange coincidence that at the same time that the Congress of Chile declared that the circumstances of 1823 had again arisen, the Committee on Foreign Affairs of the House of Representatives of the United States, in the report to which we have referred, expressed the same opinion, declaring that the Monroe Doctrine had the same character now and should have the same application as when first announced.

That part of the report gives the history of said Doctrine, from the time it was proclaimed by the President until it was accepted and sanctioned by the Congress, and it is necessary to state it here.¹ It reads:

¹ We could adduce in evidence many declarations of the American press to prove that the general opinion is to the effect that we have today the same circumstances and the same dangers which gave rise in our continent to the doctrine of its defense and salvation; but we will confine ourselves to citing the closing words of the *Declaration* of July, 1864, at the same time that in the Congress of the United States and Chile the Monroe Doctrine was announced, made by General Barrios, President of the State of San Salvador; words which are now applicable and will continue to be applicable for many years to come:

"Have in mind—said he—the gravity of the crisis in this part of the world under the present circumstances. The United States, the most powerful nation, which seemed destined to protect other younger and weaker republics, is afflicted with a civil war, a struggle as great as it is bloody; Mexico having been invaded, Peru insulted and her very existence threatened, the Republic of San Domingo having been treacherously sold, old Europe seeking still other means of stealing our independence, for which we have shed so much blood, America is under the necessity and duty of ascertaining her friends, and specially her enemies, more so if these enemies come from within.

"Let her not forget that but for Santana and were it not for Almonte, the Spaniards would not now occupy San Domingo nor the French Mexico. It is of the utmost importance, therefore, to ascertain who are the men on whom she may rely through this crisis, and who the ones she should *not trust* . . ."

The most remarkable declaration of this kind in our history, which events seem now likely to make of as grave practical interest as when it was uttered, is President Monroe's declaration in his message of the 2d December, 1823:

"With the governments which have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles acknowledged we could not view any interposition for the purpose of oppressing them or controlling in any other manner, their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

But though always the accurate expression of the feelings of the American people, it was not regarded as the settled policy of the nation, because not formally declared by Congress. By the administration of President John Quincy Adams, which followed, it was treated as merely an executive expression on behalf of the people, which Congress alone could elevate to the dignity of a national policy by its formal adoption.

In 1826 Mr. Poinsett, the minister to Mexico, having used language supposed to commit the United States to that policy in behalf of Mexico, a resolution was promptly introduced into the House of Representatives and adopted on the 27th of March, 1826—

"That the Committee on Foreign Affairs inquire and report to this house upon what authority, if any, the minister of the United States to the Mexican republic, in his official character, declared to the plenipotentiary of that government that the United States have pledged themselves not to permit any other power than Spain to interfere either with their (the South American republics) independence, or form of government."

Mr. Poinsett hastened to explain by his letter of the 6th of May, 1826, to Henry Clay, then Secretary of State:

"I cannot rest satisfied without stating explicitly that, in the observations I made during my conference with the Mexican plenipotentiaries, I alluded only to the message of the President of the United States to Congress in 1823.

"That message, declared, in my opinion, by the soundest policy, has been regarded both in Europe and America as a solemn declaration of the views and intentions of the *Executive* of the United States, and I have always considered that declaration as a pledge, so far forth as the language of the *President* can pledge the *nation*, to defend the new American republics from the attacks of any of the powers of Europe other than Spain. That *the people of the United States are not bound by any declarations of the Executive is known and understood as well in Mexico, where the government is modelled on our own political institutions, as in the United States themselves.* But in order to correct any erroneous impressions these words might have made on the minds of the Mexican plenipotentiaries, I explained to them in the course of our conference this morning their precise meaning: that the declaration of Mr. Monroe in his message of 1823, to which I had alluded, indicated only the course of policy the Executive of the United States was disposed to pursue towards these countries, *but was not binding on the nation unless sanctioned by the Congress of the United States*; and when I spoke of the United States having pledged themselves not to permit any other power than Spain to interfere with the independence or form of government of the American republics, I meant only to allude to the above-cited declaration

of the President of the United States in his message of 1823, and to nothing more."

This explanation is the more significant from the fact that Mr. Clay's instructions to Mr. Poinsett directed him to bring to the notice of the Mexican government the message of the late President of the United States to their Congress on the 2d of December, 1823, asserting certain important principles of intercontinental law in the relations of Europe and America; and, after stating and enlarging on them, Mr. Clay proceeds: "Both principles were laid down after much and anxious deliberation on the part of the late administration. *The President, who then formed a part of it, continues entirely to coincide in both*, and you will urge upon the government of Mexico the propriety and expediency of asserting the same principles on all proper occasions."

And in reply to the resolution of inquiry of the 27th of March, Mr. Clay accompanied his instructions with the declaration—entirely in the spirit of Mr. Poinsett's letter—"that the United States have contracted no engagement, *nor made any pledge* to the governments of Mexico and South America, or either of them, that the United States would not permit the interference of any foreign power with the independence or form of government of those nations.

"If, indeed, an attempt by force had been made by allied Europe to subvert the liberties of the southern nations of this continent, and to erect *upon the ruins of their free institutions* monarchical systems, the people of the United States would have stood pledged, *in the opinion of the Executive*, not to any foreign state, but to themselves and their posterity, by their dearest interests and highest duties, to resist to the utmost such attempt; and it is to a pledge of that character that Mr. Poinsett above refers."

Such were the views of the administration of President John Quincy Adams, whose Secretary of State was Henry Clay, and whose minister to Mexico was Mr. Poinsett, upon the supremacy of the legislature in declaring the foreign policy of the United States, the diplomatic execution and conduct of which is confided to the President.

It is impossible to condense the elaborate message of President Adams of the 15th of March, 1826, dedicated to persuading Congress to concur in and sanction the Panama mission; but that message and the great debate which consumed the session in both houses are unmeaning on the assumptions of this correspondence with the French government; and the consideration and approval of its recommendations elevate President Monroe's declaration to the dignity and authority of the policy of the nation solemnly and legally proclaimed by Congress.¹

¹ The correspondence had by Lincoln's administration with the Government of Napoleon relative to the declaration made by the House of Representatives late in 1863 in favor of the Republic of Mexico, gave rise to important parliamentary claims in said House, and the matter having been referred to the Committee on Foreign Affairs, the latter arrived at the conclusion that we have cited from said report, read by H. Winter Davis during the session of June 27, 1864, which closed with the following proposition:

Resolved, That Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States, as well in the recognition of new powers as in other matters; and it is the constitutional duty of the President to respect that policy, not less in diplomatic negotiations than in the use of the national force when authorized by law; and the propriety of any declaration of foreign policy by Congress is sufficiently proved by the vote which pronounces it; and such proposition while pending and undetermined is not a fit topic of diplomatic explanation with any foreign power.

Then, if the Monroe Doctrine has the dignity and authority of a national policy in the United States, solemnly and legally proclaimed by the Congress, the international law based on the custom of Europe stands modified in America as to all the practices contrary to said Doctrine; as is also the case in respect to many subjects as to which Anglo-Americans have established the maxims of eternal justice which had been ignored and distorted by the absurd practices of monarchical interests of European nations and their balance of power.

Still, we cannot assert the existence of two bodies of international law or two kinds of justice, and it serves no purpose to contend that the legal doctrines proclaimed and expounded by the authority of the United States at a given time lose all their force because the conditions which gave rise to them have ceased. We have already shown that those giving rise to the Monroe Doctrine have not disappeared, and, on the contrary, have acquired new force since Europe performs every day the acts which the Holy Alliance undertook to perform in 1823. But even if this were not the case, and these circumstances were not again present, the Doctrine should be in all its scope and applications a principle of American legislation, because it constitutes nothing more than the exposition of our law, that is to say, of the conditions of our existence and our progress.

MANOEL DE OLIVEIRA LIMA¹

The status in international law of the Monroe Doctrine has new light thrown upon it by the attitude of Mr. Drago and the subsequent discussion. Every one knows that England recognized then in an indirect way, but fully and categorically, this Doctrine which serves, while it is maintained, England's greatest interests, for, of the fifty and one half million pounds sterling which in 1900 represented British commerce with America, twenty-three million were exported to the Latin republics, who kept their markets open and free. Among them Monroe is still in the posthumous service of Canning. . . .

The so-called Monroe Doctrine belongs to South America as well

¹ Brazilian diplomat and publicist. The first of the two following extracts is taken from his work entitled *Pan-Americanismo* (Rio de Janeiro, 1907), pp. 19-23, 33-51; the second from a lecture delivered before the Institute of Politics, Williamstown, Massachusetts, August 22, 1922.

as to North America and it can not be a privilege of the latter, for North America did not receive from South America any mandate of sovereignty or of defense. The United States only exercised this defense when it was invited to do so or when the aggressed State was unable to issue a call, thus making the call unnecessary. No one expects a mortally wounded man to call out for help for he may lack the strength to do so. The procedure in this case is indicated by the egoism or altruism of the party that is to intervene. Connected with the important question of the incompatibility of territorial occupation of Latin America—including provisional occupation for the collection of indemnities—with the Monroe Doctrine, which proclaims the integrity of sovereignty of the liberated country, there are found in the pronunciamiento of Mr. Drago other very interesting questions, for instance that of the degree of responsibility of the legal government, not only for acts of violence committed by its agents but also for the depredations of the rebels in the revolutions that are so frequent in our part of the world. . . .

Up to the present time however the Monroe Doctrine has seldom or never protected the Spanish-American republics in a *practical sense*. The struggle for independence of the Spanish colonies was continually hampered from 1810 to 1825. The port of Buenos Aires was forced by foreign warships; our territorial waters were violated by English cruisers in times of trade; Valparaiso was bombarded in 1865 by a Spanish squadron after having operated against Peru; Maracaibo and Puerto Cabello were attacked by English, German and Italian troops of embarkation merely for financial reasons.

The case of Venezuela in the time of President Cleveland is a rather isolated example of opposition on the part of the Washington Government against the use of force by a powerful nation of Europe in its dealings with a weak Latin-American country. Then the intervention in Mexico against France in time of Maximilian was merely a question of convenience for the United States, which felt itself ill at ease with an extensive and well-ordered Latin empire at its gates. Furthermore England, without cannon or massacres, secured from the arbitral tribunal at Paris in which the United States represented Venezuela, all the possible advantages with regard to boundary that it had attempted to impose directly.

And yet the Doctrine has served sufficiently, as is certain and can not be justly denied, to do away with ideas of recolonization and to remove the aim of conquest which without this Doctrine would

probably have gotten the upper hand and given increasing liberties. It is an instrument of utility for this continent as long as its form be not altered, namely, as long as it remains a means of safeguard and is not transformed into an instrument of subjugation and perhaps domination for the sake of annexation. Let some one enter the house and manage it and also our relations at his own discretion, and it is equivalent to giving the house and all its appurtenances over to him. Accordingly the Monroe Doctrine is not a panacea without dangers and on the other hand does not constitute a recognized principle of international law or even an American principle, unless the Conference of Rio de Janeiro may give it this character. It is precisely common consent which it lacks to be legally binding in its application, so that it may be more than just a rule of conduct of one government in its foreign relations. Without such consent it will not be admissible nor yet possible for the United States to impose this rule by its own will.

The provisions of international law must be derived from an international agreement, open or tacit, without which they lack validity or efficiency unless they are put into force by sheer violence. Otherwise it would mean, in the words of a young and intelligent lawyer and professor of Venezuela who has already been legal counsel of the ministry of foreign relations of his country, that some one state, without consulting anything but its own peculiar interests, could assume the rôle of a universal legislator for all of America.

To recognize solemnly the Monroe Doctrine in the form given to it by the American Government during the last years, or even in the form that it had directly prior thereto, would be an abdication of sovereignty by the consecration of a principle of intervention, negative yesterday, by preventing certain things from occurring, and positive tomorrow, by promoting certain solutions. In either case this is intervention, for not only do the nations meddle in the affairs of others when they dictate a rule of conduct to them but they also prevent a third party from achieving a similar purpose.

The approval by the Rio de Janeiro Conference will be the first public title of international recognition of the Monroe Doctrine, which still lacks national sanction, for there is no American legislative act in existence that has adopted and established the obligation, much less a foreign treaty providing for its legitimacy. In the light of the law of nations it represents only a rule of policy, as Lord Salisbury has defined it. Otherwise its quick respect would

have been hindered when it was pronounced in the famous message of President Cleveland and in the notes of Secretary of State Olney on the occasion of the usurpation of Venezuelan territory. The fact is however that a country is now bound by a *compromis* to respect the substance of this exclusive theory.

The Venezuelan jurist, Dr. Angel César Rivas, in a thoughtful article published at the time of the blockade of 1903, argues in a similar way, beginning with the refusal of Congress in 1824 to discuss the suggestion of Clay which reproduces the Doctrine as formulated in the previous year.

It is true that since then the same European governments which in 1824 repudiated the Doctrine have tacitly consented to it and we must note that, forming an unchangeable part of the platforms of the two parties and being mentioned again and again in the presidential messages, the Doctrine necessarily represents a principle of internal policy and a rule of external policy of the country, which the other nations can not ignore and with which they do not dare to disagree.

At the Hague Conference, in adhering to the convention on arbitration the United States made a reservation as to its traditional attitude with regard to purely American questions and it is said that in development of this idea it will insist in the Rio de Janeiro Conference on a system of special international arbitration for America distinguished from that organized at The Hague for the whole world. This certainly tends to show that America has separated politically from Europe and constituted an organism of which the United States forms the head, directing, governing and regulating all movements and decisions.

The Monroe Doctrine was always from the very beginning an egoistic doctrine which aimed to make a reservation for America economically and diplomatically, as an attribute of its preponderance, instead of continuing to depend upon its old mother countries, no more exclusive than the new. And the Doctrine was never very altruistic and its responsibilities as well as its advantages were never very common to all the American republics, representing a reciprocal guaranty of defense, preservation and sovereignty—thus Rio de Janeiro will have to characterize it—because the United States guarded jealously the right of choosing the occasion or pretext of its application in agreement with its own interests. The other republics of the continent did not possess the absolute right

of calling upon American protection or cooperation in the sense that their call was equivalent to an obligation. Monroeism is and always was a theory of government for the private use of the inventor and a one-sided understanding made only with the national population, to follow a certain rule of international procedure.

II

The *Revue de Droit International Public* contained in a recent number an article by Mr. Moye, professor on the faculty of law of the University of Montpellier, on the Monroe Doctrine which with all its wrinkles of a century continues to be very alluring, so as to attract more attention each day. But the article in question seems to me to contain certain historical inaccuracies, if not in fact, at least in theory. The events themselves can not be incorrect but there are flaws in the angle from which they are considered.

It is true that at the beginning of its existence as an independent nation the United States abstained zealously from adopting any foreign policy that might result in complications and disturbances, but only with regard to Europe, from which it considered itself quite distant because of the ocean and because of a still more impassable abyss of preferences and aspirations. But it never neglected to take a lively interest in international politics on its own continent, following with great interest the successes attending America's gradual emancipation, which was necessary in order to give to this liberation the decisive impulse which comes from solidarity. When the independence of the New World was achieved with the exception of Canada, the Guianas and almost all of the Antilles, the United States, already stronger and above all more conscious of its strength, formulated in face of the reactionary efforts of the Old World, the so-called Monroe Doctrine which was the consecration of the theory that this political work, the creation of new and promising nationalities, could not be touched.

If Canning had not impelled the American Government to assume such an attitude, giving it the prestige of British support, it would have been adopted later because it was an attitude corresponding precisely to the policy of the United States and its political necessities. We note in the history of the United States, both internally and externally, a perfect sequence in the fundamental ideas, which constantly follow the national development, although occasionally assuming a different aspect. This trait is also shown in the basic

conservative character inherited from the English. Thus the United States avoided the offensive and defensive league to which Bolívar invited it in the Congress of Panama in 1825, not, as Mr. Moyer thinks, because it was faithful to its own ideals and shunned foreign alliances, refusing the protectorate of Spanish America, however fascinating it might have been; but rather because it aspired to this very protectorate which fell to its lot by virtue of its policies, and because it did not like the rather undesirable company from which it had nothing to gain.

Since the time of Bolívar the attempt has been renewed several times and recently the great Republic was invited to share with the smaller republics the responsibilities of the Monroe Doctrine. This was done in the prudent address made by Mr. Salvador de Mendonça upon delivering to President McKinley his letter of recall and which—I can affirm it because I was a witness—produced the sensation that it deserved in the country where the minister who was taking leave occupied an eminent position, giving to our legation the importance of an embassy, which category it did not have.

Even in the time of Monroe, just as now in the time of Roosevelt, the United States sought to be above the rest and for this reason turned a deaf ear to the claims and hints of companionship made by its Latin sisters. It is clear that it professes to respect their sovereignty. It never used other language, nor could it ever rationally plan wars of conquest against the rest of the continent as it waged in the middle of the nineteenth century against its neighbor Mexico with the well-known result, Mexico being the goat that had to pay for the first rude imperialistic steps of the giant. But this respect for sovereignty has its limits. At this moment the older brother is armed with a club or "big stick" proclaimed by the present President and which is a part of the furnishings of the White House, in order to keep in order his ill-bred sisters, and when he pleases he does not hesitate to deprive them of some beautiful ornament or of a share of their money. This is what happened in Panama with little Colombia. The adventure directed by such an honest man as Mr. Hay was no less cynical nor more excusable before moral man as distinguished from international man than the adventure in Texas in 1845.

The Monroe Doctrine has then served in its various phases to illuminate a single track. The moon, whether it be new, full or waning, is still the same planet dear to the poets. In the first place

this Doctrine has prevented the extension of European influence in America and prohibited the reoccupation of lost possessions, keeping out rivals which would have to be feared in the expansion of the United States. In the second place it forcibly substituted for this traditional ascendancy its own, more suited to the times, making annexations which had been forbidden the others.

With ups and downs the road is clearly unfolded and the famous Doctrine will always illuminate it with the regular astronomical variations. When the moon is in its quarter the United States draws back and not only helps Mexico in expelling the foreign invader, but also, at the time of Cleveland, it orders the reestablishment of the native rule in Hawaii, and when the moon is full the United States helps Cuba in expelling the national ruler and takes in payment Porto Rico which never complained of Spanish oppression. The defeat and elimination of Spain are the final consequences of the Doctrine as stated by Monroe. The annexation of Porto Rico was a just development of the Doctrine as modified or adopted by Polk.

No one proceeds any differently when some object is at stake. He begins by saying to the others that it does not belong to them and ends by saying that it belongs to him who coveted it and showed that he could defend it. To think that in 1823 the United States acted for reasons of democratic philanthropy, perhaps with a grain of conservative egoism but without any aspirations of hegemony for the future, is to give evidence of ingenuousness not possessed by Monroe or by his Secretary of State, the dextrous John Quincy Adams. Nor were Spanish-American republics so confident that they did not see the threat of preponderance on the part of the Anglo-Saxon Republic in the New World.

They did not, as Mr. Moyer thinks, offer themselves in sacrifice, nor did they claim tutelage. On the contrary, what Bolívar asked for, and what the United States refused, was to enter into a fraternal league which might have compromised the freedom of action jealously guarded by the Anglo-Saxon Republic then as well as now. It gave as an excuse the good relations which it had towards the European Powers in order not to join the republican Holy Alliance conceived by Bolívar, just as it spoke of its affection for its sisters in order to prevent any harm to them at the hands of Europe. This privilege is its own.

Monroe would not have repudiated the new form of his theory,

regardless of what the writer in the *Revue* may say. In 1845 or in 1905 Monroe would not have thought exactly as he did in 1823. He would have thought as Polk or Roosevelt, since the American presidents, even those of them who possess and show more personal initiative, are nothing but mirrors of public opinion. This explains to some extent the grandeur of the political structure of the United States. The American *consules* are the faithful representatives of the majority whose wish is expressed in a great number of forums. The great central forum may be, like its prototype, the classical forum, a field of intrigue and corruption but it is not the exclusive fountain of authority and power.

The Monroe Doctrine did not change with the development of the United States. In its essence it is always the same, sprung from envy and ambition, although it was indispensable when it arose and fatal in its present aspect. At first it was defensive and later naturally became offensive, as is the case when strength is gained to attain what one covets. In its last phase the Doctrine has inclined towards imperialism, which is at the present time frankly predominant. Mr. Moyer discerns this transformation clearly and he would be blind if he failed to see it. It is so evident that it is found even in diplomatic documents, as in the recent utterances of the Brazilian ambassador at Washington, especially on the occasion of the presentation of his credentials, when he gave assurances that Brazil would always see the United States taking the great initiative in directing our common American ideal with the same interest for the continent and the same national security as hitherto; similarly at the banquet in honor of the American navy when a Brazilian school ship was to be sent to add luster to the transformation of our legation into an embassy, where it was said that "this administration marks the epoch in which American superiority surpasses the superiority of any other nation."

The first of these utterances passed without notice. The public was with good reason accustomed not to seek any diplomatic novelties in these uniformly commonplace examples of rhetoric, and it rarely occurs that such a speech is printed in more than half a hundred newspapers, causing comment in every part of the Union, as was the case of the speech of Mr. Salvador de Mendonça. The second address of Mr. Joaquin Nabuco also occasioned some flattering references, one of them in an editorial in the *New York Times* on the subject of our hemispherical hegemony. In this article it is said

that it is apparent that the ambassador of Brazil—the assumption being that the nation which he represents is of the same opinion—does not share the Latin-American jealousy of the United States which was so carefully cultivated, there being no doubt that the greater the United States became the more able would it show itself to maintain the Monroe Doctrine with all its necessary modifications and expansions. These expansions are not a secret to any one. They have been discussed at different times by the present American President and they have been described by the Brazilian ambassador as being an unchangeable national attitude. Mr. Taft, the Secretary of War, has also proclaimed that the Monroe Doctrine will be extended and transformed from a negative formula into a positive one, from an interdiction of new annexations in America on the part of the Powers of the Old World into a tutelage—or perhaps hegemony is better—exercised by the United States with regard to the other republics of the continent, with power to judge and inflict punishment.

The Spanish republics of South America, with the Argentine Republic and Chile at the head, are tacitly making common cause in the resistance to this extension which seems to them dangerous to their sovereignty if not to their autonomy. But Brazil, conscious of being a larger country, better ordered and more progressive than any of its neighbors, feels that it has nothing to fear and even aspires to share with the United States its “hemispherical hegemony.” For this reason it not only has no fear of the foreign policy of the United States, although it sees the great Republic always in evidence and taking the rest of the world in tow, showing itself active in Russia as well as Morocco, in China as well as Roumania, far beyond anything that Monroe ever dreamed; but it also hopes for the increase of the great moral influence of the United States over the march of civilization, conceiving this influence as becoming ever greater and more beneficial in the future both for the two Americas and for the entire world.

PAN-AMERICANISM AS A CONTINENTAL DOCTRINE

Pan-Americanism is to be and will be a continental doctrine. It is not merely a catch-word, but lies at the root of the greatness of the New World as a continent of peace and progress. Is it, how-

ever, identical with the Monroe Doctrine or has each of them a different meaning, perhaps even an incompatibility of nature? . . .

Europe, on her side, was forcibly inclined to neglect American affairs, having so many of her own in hand. Regarding the Monroe Doctrine, nearly all the nations of that part of the world had already admitted it, with the exception of Germany, which was the only one to discuss it and refuse to acknowledge it. She virtually became in that way the necessary eventual ally of any Latin-American nation that would be tempted or led to deny that famous doctrine its egotistical interpretation.

The United States need not fear to meet with any opposition in the matter since Germany's power has been overcome and nobody knows whether the old spirit will revive; but notwithstanding the disappearance of all rivalry within the American borders the popularity of the Monroe Doctrine has somewhat diminished and that of the United States has not increased with the war. Its popularity was on the contrary steadily gaining before that with the scientific attainments which institutions such as the Carnegie and Rockefeller Foundations were spreading for the benefit of humanity.

For that decrease of popularity one thing has contributed, not in a small scale—the high price of the dollar, which minds less familiar with financial matters and those who have been suffering through it in their private interests, which speak louder than any other, attribute to what they call American greed, neglecting explanations of a more technical nature, consequently more scientific and more accurate. We have seen lately the growth in Brazil of suspicions, which had never shown themselves previously—which at least had never acted as a disturbing element in the social relations of America—against the so-called religious propaganda of the Protestant bodies. . . .

The Monroe Doctrine, said to work in a pacific sense, counts already a pretty long story of its own and a quantity of interpretations has been given to it—as it happens with every political doctrine, because they are formulated for a special moment, and when this moment passes, the doctrine has to be rearranged to suit new circumstances which follow, sometimes different, although possibly obeying the same original purpose. Such purpose was in this case to establish the separation of the American continent from European political influences and put it not only under the moral, but under the political control of the United States.

It would carry us too far to summarize the historical evolution of the Monroe Doctrine and the many aspects it has assumed. . . .

The Monroe Doctrine contained a good deal of usefulness. It helped considerably to keep off from Latin America designs of reconquest by the mother country against which their colonies had taken up arms or of conquest by the new powers—Russia for instance—and at the same time it helped the United States to get in the course of the last century the possession of the Mexican provinces, the protectorate of Cuba and the control of other of the Antilles. It is a very elastic and handy instrument of dominion. Time will, however, come when the edge of this blade will be blunt for lack of proper use, foreign rivalry having vanished with the downfall of Europe and the American sisterhood of republics showing little enthusiasm for any appeal of this kind, except when guided by the spirit of compromise instead of that fiat of the continent, which Secretary of State Richard Olney once proudly proclaimed the will of the United States was in the New World.

The Monroe Doctrine presents two historical episodes which are true landmarks corresponding to two different phases of its development in recent times. The first is that unexpected and rough warning given to England in the course of an international negotiation and which Lord Salisbury received and had to comply with. The warning was for the British government to stop meddling with Venezuelan boundaries independent of geographical and historical studies and the award of an umpire. Lord Salisbury had never been willing to recognize the Monroe Doctrine except as a rule of American policy, but his attitude was one of perfect accord with President Cleveland's affirmation, expressed through his secretary of state.

The second episode occurred at Buenos Ayres on the occasion of former President Roosevelt's trip to South America. Speaking for his own country and with true Castilian haughtiness, Dr. Zeballos, a statesman and a jurist of international reputation, declared that the Monroe Doctrine could no longer be applied to the Argentine republic, claiming in that way for his country the rights and privileges of a superior civilization. His words were as follows: "We do not fear aggressions in our territory, neither from Europe, nor from America, and our integrity is not threatened in the least."

It was in Roosevelt's nature to appreciate all display of courage and he immediately admitted that between the Argentine republic and the United States, the reciprocal treatment could only have

equality for its foundation. He certainly was glad of the opportunity afforded him of doing away with apprehensions caused by his behavior in the Panama canal question, with the advantage that he was replying to one of the foremost minds in South America, not only for the value of his theoretical knowledge, but for his practical vision, his incomparable activity and his essential rectitude.

The geographical situation of the New World, modern traditions which, although far from containing much of public morality, compare favorably under this aspect and at least from a doctrinal point of view with older ones, the aspirations of cultured peoples towards a common régime of international justice, necessarily produce a community of interests amongst the nations of this continent. Right and not might is through it all proclaimed as its chief characteristic and indeed it is, specially if compared with European peoples, so the activity of the New World cannot but exert itself in the international field to the benefit of public equity.

It is not without reason that America boasts of being the continent of right; breaches of it may have occurred and have really occurred, but the consciousness of the violation of international law is the largest; we may say the only step for the reparation of the evil. We have just seen that the limitation of armaments, which, when proposed by the United States for extra American countries, met with so many intrigues and difficulties, came naturally in the New World as a proposal from Chili, considered to be the most war-like nation of it for the splendid fighting qualities of her people and for the successful outcome of the war which deprived Peru of the two provinces, the fate of which is now hanging upon negotiations under the auspices of the American government that contain a new proof that international controversies on this side of the ocean are no more to be resolved by war.

The Chilian proposal will constitute the principal topic of the Pan-American conference which is to meet next year at Santiago, and none of the preceding ones will have left a similar record if that proposal comes to a satisfactory conclusion. Chili had no second thought in formulating it; her government only tried to avoid the transfer to America of the wicked policy followed by Europe and which has been the source of so many evils. . . .

Pan-Americanism in a conscious, not only in an instinctive modality, preceded, as we see, the Monroe Doctrine, as a protective guarantee of such a freedom, and as a continental program, dis-

pensing a generalization of the Monroe Doctrine, which has been sometimes thought of, it has the practical advantage of belonging to the southern continent in general and not to the United States alone. We may call Pan-Americanism a purified and superior expression of the Monroe Doctrine.

It is greatly to the honor of Hispanic-America that it was Bolívar who undoubtedly had, let us say, the scientific conception of Pan-Americanism, of which our envoy Cahuga had the empirical idea. Monroeism is American, or North American, as you begin to say with us, leaving aside that tacit pretension to the exclusiveness of the term, which used to irritate the South American geographical purism.

Monroeism was never Pan-American; perhaps it was not a mere defensive step aiming at Russian ambitions on the Pacific coast, but it came to life as a result of that outburst of Slavic expansion policy and since then has only served in the first place the United States' interests. No American statesman, no American publicist would dare to say that it is a weapon to be handled by any other than the country which had the initiative of it.

Bolívar's policy was determined by a higher ideal, a collective expression of this ideal which is to prevail and will prevail if moral progress is not condemned to disappear. It tends to international harmony with a mutual respect, and in fact Pan-Americanism was never reputed ambitious and violent, as Pan-Slavism or Pan-Germanism. It has been considered the natural expression of the cordiality among the different political members of a group of nations destined to form an association without legal ties, but with moral obligations, which ought to be more binding precisely because they are inspired by a common sense of responsibility which derives itself from a comprehensive and wholesome feeling of human duty. . . .

A. DE MANOS-ALBAS ¹

There was an element of prophetic inspiration in the Declaration of President Monroe, uttered in 1823. It rang through the world like a peal of thunder; it paralysed the Holy Alliance, and defined,

¹ The following is an extract from an article entitled *Wanted: A Revised and Extended Monroe Doctrine*, published in *The Review of Reviews*, London, vol. XLV (January-June, 1912), pp. 255, 260-61.

once and for all time, as far as Europe is concerned, the international *status* of the newly constituted American Republics.

The most important part of the Monroe Declaration reads:

In the wars of the European Powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparations for defence. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the Allied Powers is essentially different, in this respect, from that of America. This difference proceeds from that which exists in their respective governments. And to the defence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed such unexampled felicity, this whole nation is devoted. We owe it, therefore, to candour, and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered, and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, in any other light than as the manifestation of an unfriendly disposition towards the United States.

The immunity from European aggression which the Latin-American nations have enjoyed since their emancipation, to this day, is exclusively due to the Declaration of President Monroe, which, having been uttered one year before the final overthrow of Spain in 1824, was like a gift, which the nascent nationalities found in the cradle of their newly conquered liberties. European conquest was banned from the American continent.

Sovereignty to a nation is as life to the individual; partial conquest of a nation's territory is mutilation. These truths must illuminate the appreciation of the scope and meaning of the Monroe Declaration, which has successfully stood the test of well-nigh a century of European expansion of unprecedented persistence and intensity.

The immunity from conquest, however, has not been absolute. The United States themselves have on occasions turned conquerors. It serves no purpose to labour the point here. A glance at the map proves the assertion beyond peradventure of a doubt. Thus, notwithstanding the evident and supreme benefits that have been conferred upon the Latin-American nations by the Monroe Declaration,

benefits which, in many instances, may be well considered as equivalent to national life itself, a spirit of distrust has been created throughout the whole of Latin-America, varying in degree according to local conditions and possible dangers—real or imaginary—which, if not counteracted and dispelled, may tend to modify, prejudicially, the conditions which thus far have made the American continent inaccessible to European political expansion.

In the presence of such dire possibilities it behoves the statesmen and the people of all the American nations to eliminate all cause for friction and anxiety, letting the dead past bury its dead, looking solely to the future, mindful that recrimination never mended a wrong, and often was the source of fresh evils.

"America for Americans" is supposed to be the essence of the Monroe Declaration. The tenet, if rightly interpreted, embodies a noble ideal. It cannot and has not stood for limitation of the geographical place of birth or of racial character, as is shown by the millions of men from all quarters of the world for whom America has become a refuge and a home. Had those men, however, sought to land, on any part of the continent, as the forerunners of political expansion, representing European systems of governments and Old World traditions of caste and privilege, the continent would have been closed to them.

America is consecrated to the ideals of liberty and democracy; they constitute the paramount issue of its destiny. "America for Americans," therefore, does not exclude any free man determined to remain free, and abhorring conquest and oppression as he would theft or murder.

The means to accomplish unity of sentiment and to dispel the misgivings between the United States and the Latin-American Republics is not far to seek. It is only required to amplify the Monroe Declaration to the full extent of its logical development. Therein lies not honesty alone, but safety and peace.

In our day and on our continent conquest of territory is inadmissible *per se*, for its own intrinsic hideousness and for the lie it gives to the fundamental principles and the laws and constitutions upon which our political life is based, without any concern whatever as to its origin.

What is a crime in a European nation cannot be righteousness if done by the United States.

If these conclusions of honest logic are accepted and acted upon

by the United States; if they should declare that the era of conquest of territory on the American continent has been closed to all and for ever, beginning with themselves, the brooding storm of distrust will disappear from the Latin-American mind, and an international cordiality of incalculable possibilities will ensue, not only for the welfare of the American nations, but universally for the cause of freedom and democracy.

The recognition of the principle should be officially accomplished; it might form the special object of a Pan-American Congress. It means no antagonism to Europe, but to modern European political expansion; and also to European political complications which threaten a return to barbarism and to brute force as the one supreme law, and the destruction of a civilisation which is the fruit of countless ages of painful endeavour. It signifies the union of all the nations of America for one common, noble purpose—for the establishment of international life upon the same basis as civil life amongst the citizens of a nation, the basis of justice, and not of violence.

This gospel has been preached to the world from the same eminent place as the Monroe Declaration. Early in January of 1911 President Taft said:

Personally I do not see any more reason why matters of national honour should not be referred to a court of arbitration than matters of property or national proprietorship. I know that is going farther than most men are willing to go, but I do not see why questions of honour may not be submitted to a tribunal composed of men of honour, who understand questions of national honour, to abide by their decision, as well as any other question of difference arising between nations.

The United States should to-day, like President Monroe, scan the horizon of the coming centuries. The task of the morrow should be lightened to-day; such is the law of greatness. The cordial co-operation of Latin-America, important as it is to-day, may become paramount to-morrow. In the field of distrust rivalries soon flourish; the interests of all Latin-America are identical at this stage; a cunning diplomacy may soon foster antagonism and beget irreconcilable ambition. We are at the parting of the ways. The exclusion of conquest of territory, as a fundamental principle of international life on the American continent, should be solemnly proclaimed by all the American nations; they should all pledge themselves to maintain it. The sands are running in the glass of Time; to-morrow it may be too late.

In these Tripolitan days the proposed declaration of continental policy by all the American nations would be salutary and opportune. It would not alter, but strengthen present conditions, and forestall possible dangers to the weak nations of the continent, rendering the task of the United States easier of accomplishment. It means no antagonism nor hostility to the peoples of Europe; it is solely a defence against European imperialism. It does not in any way interfere with economic developments, nor with the open door for commerce; it is no utopian panacea, no short-and-ready cut to the millennium; but it would maintain the American continent free from European political expansion, carried out in the service of systems doomed to early disappearance by the deadlock of limitless armaments. Thus the real interests of the peoples of Europe would be served and reaction crippled.

The declaration would also consult the true interests of the United States; it would carry the Monroe principles to their utmost honest logical development, and it would dispel misgivings and distrust throughout the continent, facilitating the harmonious and fruitful evolution of international life.

The declaration that conquest of territory shall hereafter neither be practised nor tolerated on the American continent is in essence in full accord with the recent avowed policy of the United States. Such a declaration, in America, could only be opposed by nations contemplating schemes of aggrandisement at the expense of their neighbours, which would be rank treason to liberty and democracy. In such a case it is well for the friends of liberty and democracy, irrespective of nation or continent, to know where danger and insincerity lurk.

MARCIAL MARTÍNEZ¹

ADDRESS DELIVERED IN HONOR OF THEODORE ROOSEVELT AT THE
UNIVERSITY OF CHILE, NOVEMBER 22, 1913

Many are the subjects I could discuss on this occasion, but the limited time at my disposal compels me to touch briefly on two or three only.

¹ Chilean writer and diplomat. The following extracts from addresses, articles, etc., are taken from a collection of Dr. Martínez's works entitled *Obras completas* (Santiago de Chile, 1919), vol. II, pp. 269, 278, 288, respectively.

Let the first be the Monroe Doctrine antonomastically so called. I say antonomastically, because President Monroe did not purport to enunciate a doctrine in 1823, but simply made a declaration in his message of that date with the sole object of making it known to European Powers that he would consider any aggressive action in this continent as an unfriendly act. Congress did not formally pass upon this question nor was there at the time any discussion of the subject by any other authoritative body. The main cause which led the President to make this declaration was that the Holy Alliance, formed at the instance of Russia, with which the United States had a boundary dispute pending, threatened to become an instrument of abuse and oppression and was admittedly disposed to assist Spain to regain her former possessions in America.

Hundreds of books and pamphlets have been written about this simple and explicit declaration, in which their authors have given wings to their fancies, their purposes and aspirations, and their sympathies and antipathies, until the whole thing has become a conundrum of contradictions and absurdities.

My opinion, sincerely stated, is that the Monroe Doctrine lived (*vivió*), that is to say, it has ceased to exist. It is an obsolete document, and to consider it as in force is a striking anachronism. The social, economic, political, and even ethnological conditions of 1823 have absolutely disappeared; and it would be impossible, without being guilty of gross error, to apply at the present time a system which has really become obsolete as a matter of fact. A great many years ago I expressed these same views in an article published in the *Libertad Electoral*, a daily newspaper. I do not know whether anyone has preceded me in such a frank expression of these views, but many have with more or less certainty shown that they shared my opinion. President Roosevelt, in whose presence I now have the honor to speak, has appropriately remarked that Central and South American republics should *behave themselves*, mutually assist each other, or manage themselves independently. A noted American writer, Mr. Charles F. Dole, has just written the following:

In short, so far as we are good friends of the South American peoples, so far as we are friends of our own kinsmen over the seas on the continent of Europe, so far as we desire permanent amicable relations with the people of Japan, so far as our intentions in South America are honestly humane and philanthropic, we have no need whatever of the Monroe Doctrine any longer. On the side of our common humanity all our interests are substantially identical. On the other hand, so far as we purpose to exploit the continent

for our own selfish interests, so far as we aim at the extension of our power, so far as we purpose to force our forms of civilization and our government upon peoples whom we deem our "inferiors," our new Monroe Doctrine rests upon no grounds of justice or right, it has no place with the Golden Rule, it is not synonymous with human freedom: it depends upon might, and it doubtless tends to provoke jealousy, if not hostility and war.

These words are a sufficiently exact résumé of the subject under consideration.

ARTICLE PUBLISHED IN EL MERCURIO OF SANTIAGO,
DECEMBER 31, 1913

The question which has been raised concerning *Monroeism* is a mere question of words or, rather, of abuse of words. It would be necessary to possess a very low degree of intelligence in order not to understand and appreciate the events which are taking place before all of us.

It is true that no one has questioned the fact that the English minister, Canning, suggested to President Monroe the idea of checking the activities of the Holy Alliance against Latin America. The message of December 2, 1823, cannot be clearer or more exact regarding its scope and purpose. Discerning and impartial writers who have discussed the matter have summarized their views by saying that President Monroe's declaration had for its object to check the intervention of Europe in America. It would be perhaps quite proper to quote and comment upon all of the said document in order to reduce to their simplest expression the fundamental propositions embodied in the same; but unfortunately I do not now have the time necessary to perform this task. I shall confine myself to quoting the propositions in the hope that the reader will himself make the necessary comments.

After affirming that the United States have never interposed nor will they ever interpose in the affairs of European Powers, President Monroe said: "It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense." And further on—

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety . . . But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles,

acknowledged, *we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.*

Thereupon Mr. Monroe calls attention to the fact that "the allied powers should have thought it proper, on any principle satisfactory to themselves," but which does not conform to the principles of the United States, "to have interposed by force in the internal concerns of Spain."

Our policy in regard to Europe . . . is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; . . . But in regard to these continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference.

The effective part *ad hoc* of his message he closed by saying that at the present time (1823)—

If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

Apply these principles to current developments in Mexico, and you will realize what action would have been taken by Monroe in the present emergency.

Any person able to read may form an idea as to what the declaration of 1823 (which has come to be called a doctrine) really was.

It is well known that the American Congress did not formally pass upon the said declaration, and that a number of prominent citizens condemned it on the ground that it created a bond between the United States and Latin America which might prove later on to be too entangling.

That Doctrine has been subsequently extended, diversified, altered, and misrepresented, to suit the tastes of idealistic writers and of *politicians*.

At the present time Monroeism is overemphasized for the purpose of attaining results which are plainly contrary, opposite, and antithetical to those evidently contemplated by President Monroe. What is now desired is that the United States by themselves or allied with other American Powers, and even with the acquiescence of European Powers, may intervene (without fixing a limit to said intervention) in all disturbances taking place in this hemisphere. This new policy, through an absurd euphemism, is called Monroeism. This procedure is not only undignified but is laughable as well; and it is difficult to conceive how persons who consider themselves to be statesmen should undertake to stage such a comedy before the world.

This new policy deserves no other name than that of imperialism or hegemony. I shall call it from now on *Napoleonism*.

It is deceiving to suppose that the personal and, therefore, unilateral declaration which was made by President Monroe, in contemplation of the circumstances and events which he plainly cited in his message with relation to 1823, must have had permanent effects, notwithstanding the absolute changes which have taken place in all the factors, active as well as passive, which have constituted for more than a century the international entities known as Latin-American republics; which, in so far as the Holy Alliance is concerned, became mere tradition with the death of Metternich. The same persons who sustain such an absurd proposition are declaring now that the obsolete declaration made by Monroe is to be applied only to those countries whose shores are washed by the Caribbean Sea, that is to say, that only in the latter countries should American intervention take place so far as internal affairs are concerned. This is already a retrocession which will probably have its reaction as soon as it is convenient and possible.

Far be from me the thought of obstructing the expansion and aggrandizement of the colossal nation called the United States; but in the interest of the world and in her own interest I desire that things be called by their true name, that we have *fair play* in America, that resort not be had to cunning or deceit, that progress be attained by honorable means, and that equality between States be loyally and sincerely adhered to in practise.

The committee of professors which, it is said, will come to these countries from New York, is to a great extent a step towards the system of true *rapprochement* which I highly commend between the two great parts of this continent.

I am sure that if the United States deals with Latin America on the basis of positive friendship, with tolerance, on a basis of equality, always endeavoring to arrive at solutions dictated by justice and equity, they will in the nature of things exercise a great moral and economic influence in this continent. Once the Panama Canal is opened, Americans should establish steamship lines and banks, as European nations do, aside from all other activities resulting from the relations of friendship and geographical propinquity, and thus the beneficial results of mutual profit, to which I referred in my address at the University, will be obtained.

It is very striking and worthy of note that my ideas are being carried into practise recently, more in the United States (in societies of learning) than in these republics; at least this is the inference to be gathered from the reports of the press.

In fine, the greatly discussed Monroe Doctrine may be compared, I think, to a large medal on one side of which may be read the simple and wise declaration of the noble President James Monroe, and on the other side may be deciphered some of the aspirations and schemes, not very well defined as yet, of the advocates of imperialism, or Napoleonism, of the United States in this hemisphere.

The promise made in 1823 to protect the infant peoples of Latin America was withdrawn when these peoples attained their majority; and the notification made to European Powers, which Bismarck described as pedantry, has been of no effect since they have not declared nor encouraged the intention of performing the acts which Mr. Monroe condemned as unfriendly to the United States.

LETTER OF DR. MARCIAL MARTÍNEZ TO SR. SANTIAGO MARIN
VICUÑA, APRIL 4, 1916

I shall not close without a brief discussion of a subject on which you dwell with kind sympathy. I refer to the so-called Monroe Doctrine and the Pan-Americanism which has superseded it.

This subject would stand a discussion of ten or twelve written pages, but I shall not write more than one owing to lack of time and to weariness.

The so-called Monroe Doctrine was never a doctrine but a personal opinion of President Thomas [*James*] Monroe, expressed in the message which he delivered to the Congress of his country in 1823.

That opinion was suggested to him by the English Government with the twofold purpose of checking the action of the Holy Alliance and of *securing* the commerce of the new American nations. The American Union was then powerless to effect her quixotic protection of Latin America.

Within the American Government persistent objections were raised to the attitude and threats of the President; and I recall that Bismarck, among a thousand others, repeatedly said that the supposed doctrine was nothing but a *bluff* and an *impertinence*.

Such has always been my opinion and I have expressed it on more than one occasion.

There are those who believe, and possibly they are right, that though merely empty words Monroe's declaration has served to make some Powers abstain from coming to America in quest of territories to colonize, and turn their eyes on Asia, Africa, and Australia. What we must examine and consider, not to be misled, is what has taken place in practise.

When England, France, and Spain invaded Mexico in order to place the unfortunate Maximilian on the throne of that country, the United States remained shamefully silent. True they were at that time engaged in civil war, but their duty was to issue an energetic protest. Instead of doing this the House of Representatives rejected Mr. MacDougall's proposition, which aimed at the fulfilment of Monroe's promise.

The American Government spoke when it was already publicly known that France, the last supporter of Maximilian, was ready to withdraw her troops, a resolution due to the inefficacy of the sacrifices of that army and to the violent opposition with which Napoleon's foolishness met in France.

Something more serious happened to us.

Spain sent a fleet to the Pacific with the purpose of regaining possession of her old colonies, according to the emphatic declarations of the Royal Commissary, Salazar y Mazardo. Well, when that fleet bombarded the open port of Valparaiso March 31, 1866, two American battleships were anchored in that port, and all they did was to move to some other place of anchor so as to expedite the bombardment of that city.

Is the extinct Monroe Doctrine a bluff and an impertinence, or is it not?

The line of conduct followed by the American Government in the

conflict which took place between four European Powers and Venezuela was not a tribute to the Monroe Doctrine, but an ostentatious act, an act of conceit and ambition, which consisted in playing the part of mediator to settle the conflict.

The European Powers accepted that intervention because they deemed it wise in every respect to do so. The settlement made was notoriously detrimental to Venezuela, as has been plainly shown by a number of writers from the nations of North and South America.

Roosevelt himself, who has boasted of sustaining that Doctrine, declared, while President of the United States, that Central and South American republics should *behave themselves*, that is, assist each other in their practise of self-government, and this under their exclusive responsibility.

At present it is a professed maxim of noted Americans as well as those of lesser rank that the Monroe Doctrine has been limited to the countries extending from the Rio Grande to the shores of the Caribbean Sea, that is, to the territories on which the American Union can lay her hands. The new phase of American policy designated by the name of Pan-Americanism has nothing, absolutely nothing, to do with Monroeism.

It is a conception tending to bind all America to the destiny of the United States.

What that enormous country desires is to become the provider of the whole continent, the great manufacturer, the great producer, the great banker, and consequently the right hand in continental policy.

To me it is very natural, very logical, very just that the great Republic should have these ambitions. In her place, I would do the same.

But what provokes and almost angers me is that Americans should boast of being our protectors and that we should have people in these countries who believe them.

To say it in a spirit of moderation, the American purpose is to conquer these countries by means of economic *penetration*. To this end this pretentious word *Pan-Americanism* has been created, instead of employing the simpler though more appropriate term *Americanism*.

What is the meaning of that term "Pan"?

I understand it means aggregation, to knead, to unite, to consolidate, to combine. But that term has been employed in world policy to denote the union of a race, and of various peoples under

the hegemony of a great Power. In this sense we say *Panslavism* to denote that the Slavic race clusters around Russia; Pan-Germanism to produce the same phenomenon of a German union under the leadership of Prussia.

For the same reason *Pan-Americanism* must mean the federation of America, acknowledging as its obvious leader the hegemony of the United States.

I do not know of any men of sound mind who accept this position. In so far as I am concerned, I do not accept it.

All the acts of the American Government aim at the realization of this purpose. The last one is a *factum* which has been elaborated in silence and which has just been announced. It is the Pan-American *agreement*, a veritable trap in which I hope we will not fall.

I have not the time to develop the lines of thought suggested by that document, but you will hear that it is criticized by the press. It is more or less the extension of the A B C treaty to all the continent; but we can read between the lines that the controlling power will be in the hands of the North Americans whenever it comes to enforcing the stipulations of the treaty.

I repeat that I have no objection to the economic penetration of these countries by the United States; but I do not care to have that penetration assume the character of protection.

We will contract with our big northern brothers as with any other nation we deem convenient. We will make treaties of friendship, of commerce, with whomsoever we may deem it advantageous. Let us forget about countries.

EMILIO MITRE ¹

Even after the recognition of Argentine independence by the United States, conferences continued to be held in Europe to establish the régime of the dominion of the mother country over the already independent colonies. Then new conferences took place with Canning, in which the minister of the United States confirmed anew the policy of his country in the matter of the final recognition of the independence of this republic. During that period, a docu-

¹ The following is an extract from an address delivered by Deputy Emilio Mitre in the Chamber of Deputies of the Argentine Republic, July 4, 1906. See *Latin America and the United States; Addresses by Elihu Root* (Cambridge, 1917), pp. 79-80.

ment appeared that emanated from John Quincy Adams, addressed to Rush, in which he declined to enter into the plan for convoking a congress intended to treat of the questions of South America, and stated that the United States would never attend such a congress unless the South American republics were first invited.

To accentuate the attitude of his Government, Mr. Adams adds that if the congress were to take place, with intent hostile to the new republics, the United States would solemnly protest against it and its calamitous consequences.

The systematic and persistent action of the United States ended by determining in Canning a policy favorable to South American independence, and opposed to the intervention of any foreign power in the destinies of the new republics.

Great Britain and the United States once in accord, after negotiations in which Jefferson and Madison united their counsel to that of President Monroe, these two patriots expressing themselves in terms of moving eloquence in favor of the cause of emancipation, the question was settled forever.

Some months afterward, December 2, 1823, President Monroe consummated his action by sending to Congress the message that contains the enunciation of his famous doctrine. "America for the Americans," Mr. President, was a formula that, as I understand it, meant the final consecration of the independence of the American nations; it was the voice of the most powerful of them all, proclaiming to the world that conquest in the domain of this America was at an end; it was notification to the conquering powers of Europe that they should not extend themselves to these continents because this extensive territory was all occupied by free nations, outside of whose sovereignty not an inch was vacant.

The independence of these republics having been settled on the field of battle by the sole force of the republics, the declaration of the American President was the culminating act of that grand epic. For the United States it is a record of honor; for Europe it is an ultimatum.

The Monroe Doctrine exists today with all the force of a law of nations, and no country of Europe has dared to dispute it.

It is fitting, Mr. President, to appreciate exactly the meaning of this great act, of the splendid attitude, more fertile for the peace of the earth and for its progress than all the conventions that European nations have arranged from time to time in order to determine their

quarrels. The American President, in formulating this doctrine, decreed peace between Europe and America, which seemed destined, the former to assault always for conquest, the latter to fight always to defend its frontiers. In short, the Monroe Doctrine has been the veto on war between Europe and America; in its shadow these youthful nations have grown until today they are sufficiently strong to proclaim the same doctrine as the emblem on their shield. And the most glorious characteristic of this doctrine is that it is a dictate of civilization, in the nature of a magnificent hymn of peace, which can be chanted at the same time by the European and the American nations, because it avoided that permanent contention which would have subverted if the system of conquest that Europe has developed in regard to certain nations had been implanted here in the territory of South America.

MANUEL B. OTERO ¹

Now, the hour has passed, and I do not know whether I may dare to abuse the benevolence of the Senators, or not.

I cannot, however, leave this matter just as it is. Full arbitration between two countries may be impossible "as a matter of fact" because it may affect serious interests of third parties.

The United States is a third party, for instance, which, by virtue of the Pan-American policy, stands in the way of the doctrine of full and obligatory arbitration.

Would we enter into full arbitration with Italy, with England, with France, with Japan, or with China? Within the theory of the Senator, we should enter into it and carry it out for all cases and under all circumstances of supposed conflicts.

What would be our situation if one of those future conflicts should involve Pan-American matters and the United States should object to arbitration?

Would we enter into it for the reasons of high morality proclaimed by the Senator?

¹ Uruguayan Senator; member of the Hague Permanent Court of Arbitration. The following extract is taken from an address by Senator Otero in the Uruguayan Senate, December 28, 1917. *Memoria del Ministerio de Relaciones Exteriores, Septiembre de 1916 a 15 de Febrero de 1918* (Montevideo, 1918), pp. 163-6.

Would we sign the final agreement, facing a rupture with the United States?

Please note that I am applying in general the doctrine of full arbitration in the face of Pan-American problems; that I am not speaking now of the particular treaty with Brazil.

Now then, the United States has already affirmed several times its unbreakable determination to eliminate by force everything that might oppose the Monroe Doctrine.

Upon accepting arbitration at the Hague conferences, it made the reservation that this did not imply a relinquishment of its traditional attitude toward purely American questions, that is to say, toward the Monroe Doctrine.

And on discussing the treaties of 1911, this was still more strongly affirmed if possible.

Under these circumstances was established, first, the principle that in case of general arbitration treaties, the Senate would preserve intact its constitutional power to give its final decision in each individual agreement. That was not established by direct resolution, but indirectly, by eliminating clause 3 of article 3 of the treaties, which might give rise to doubts; and it was established by the declarations of the majority and minority reports of the Committees.

And it was established moreover, by a direct and express resolution, that those arbitration treaties could not involve the Monroe Doctrine, nor any matters relating to Asiatic immigration, nor various other questions. . . .

In view of our situation in regard to the Monroe Doctrine, we are not at liberty to go into unlimited arbitration; this would mean to avoid, in certain cases, one conflict only to bring on another greater one.

We cannot speak of treaty of unlimited arbitration in the Pan-American situation in which we find ourselves.

Some people forget that there are international ties which bind us, in fact, and which compel us to act in accord with other nations; they forget that there are continental needs.

If the United States has separated the Monroe Doctrine from its arbitration treaties, we cannot place ourselves in the position of making a treaty involving it. I do not name Brazil in particular; I am speaking within the general theory that unlimited treaties may be concluded with any country in the world.

If, tomorrow, a conflict should arise between a South American

and a European country, and that conflict should have reference to the Monroe Doctrine, it would have to be submitted to arbitration, according to the theory of the Senator; but in that case the United States would step in and would simply say "No."

And the matter would come to an end. That is another case of the resistance of reality!

I am not now going to explain the Monroe Doctrine because it is fully known; I am, however, going to remind you that it is considered by the United States as vital and necessary for its own security.

The Assistant Secretary of State, Mr. Loomis,¹ amongst others, undertook to explain its meaning, saying that "the Monroe Doctrine is our expression of the national right to self-defence"; that it "gathers its strength as a vital American policy from the support and life which the power and efficiency of the United States breathes into it"; that "it will have effect and command respect, and be carefully considered and weighed just as long as we are in position to back it up with men and guns."

Mr. Loomis finally took it upon himself to consider the possible circumstance that an American country might endanger the Monroe Doctrine in its arrangements with a European country. And he left the case well defined: that would bring the United States into war with the two countries, the American and the European.

Unlimited arbitration is not to be thought of when the resolution of the North American Senate, passed in connection with the treaties of 1911 is held in view, or when American diplomacy is heard to say that "the Monroe Doctrine is not international law and we have never pretended it to be. It is the fervent expression of American policy which has grown until it has become a part of the life and thought of the Nation."

And that Doctrine likewise forms, as I believe, and as many believe, a part of our life and our thought.

¹ *The Annals of the American Academy of Political and Social Science*, July, 1903, vol. XXII, p. 1.

CARLOS PEREYRA ¹

There is not one Monroe Doctrine. I know three at least, and perhaps there are others of which I am not aware. Three are the doctrines, in any event, with which this work deals.

The first Monroe Doctrine is the one framed by the Secretary of State, John Quincy Adams, which after its incorporation by Monroe in his presidential message of December 2, 1823, was cast into complete oblivion, if not as to its terms, at least in its original significance, and which in this aspect is only known as an antiquity painstakingly restored by some scholars for the benefit of a small group of the curious.

The second Monroe Doctrine is the one which, as a legendary and popular transformation, has passed from Monroe's text to a sort of obscure dogma and glorification of the United States, to assume form finally in the report submitted to President Grant by Secretary of State Fish under date of July 14, 1870; in the report of Secretary of State Bayard of January 20, 1887, and in the instructions of Secretary of State Olney to the ambassador in London, Bayard, of June 20, 1895.

The third Monroe Doctrine is the one which, taking as its basis the declarations of these public men and their bold falsifications of the original Monroe document, endeavors to present the foreign policy of the United States as an ideal derivation from primitive Monroeism. This latter form of Monroeism, which as distinguished from the previous one is not merely a falsification but a superfetation, has for its authors the representatives of the imperialistic movement, McKinley, Roosevelt, and Lodge; the representative of dollar diplomacy, Taft; the representative of tutelar, imperialistic, financial, and biblical mission, Wilson. . . .

To begin with, the Doctrine is not a doctrine. And then, Monroe is not its author. The whole world knows this.

The only value which the 1823 declaration connected with the name of the President of the United States might have, is that of an historical fact, of an unquestionable display of force; but even in this aspect we are dealing merely with a chimera, an anachronism, and a superstition.

¹Former professor of sociology in the University of Mexico; former member of the Permanent Court of Arbitration at The Hague. The following extracts are taken from Mr. Pereyra's work entitled *El Mito de Monroe*, which was published by the Editorial-América (Madrid) in its *Biblioteca de Ciencias Políticas y Sociales*, 1916; see pages 11-12, 17-19, 53-54, respectively.

The Monroe Doctrine has all the appearances and real characteristics of a taboo, that is to say, of an essentially magical prohibition, with the same kind of sanctions.

From the point of view of international law there is not a single earnest word in the Monroe Doctrine, and all its applications are in practical diplomacy what the Spaniards call *toreo alegre*, or a sort of trap for the unwary, which, not involving any European interests of importance, is tolerated in theory and practice without serious objections being made.

But the average close observer does not fail to see the abject condition to which the famous statements of the fifth President of the United States have come, statements baptized as a doctrine bearing the name of the one who included them, much to his regret, in the message of the latter part of 1823, and who repudiated them as soon as an opportunity arose to give them concrete application.

Open any book whatever on the Monroe Doctrine. It always begins with a quotation of the famous text in which the President of the United States, in his address to Congress of December 2, 1823, declares that the two American continents should in the future remain closed to the colonial and conquering expansion of Europe.

The resounding words, more pedantic than solemn, of President Monroe have been the object of idle commentaries, after the custom of jurists, to determine in each of the international affairs of the diplomatic history of North America whether the Monroe Doctrine has been violated, or whether it has been erroneously applied or its scope unjustifiably broadened.

By this system, which is not historical but in direct opposition to history, only confusion is attained inasmuch as there is no way of forming a coherent whole with these three unconnected propositions: first, the abstract principles of international law; second, the logical consequences of President Monroe's words; third, the historical fact of the position which the Anglo-American nation occupies in the world as a great Power.

In order to explain the Monroe Doctrine it would be necessary, before furnishing the reader with the text of the message, to make clear why this noted document was written, who drafted it, what was its true practical scope in the political world of that time, and, finally, to establish the relations between the actual development of the diplomatic history of the United States and the idealistic superfetation which is always attached to a sacred text. . . .

Some recent North American critics of the Monroe Doctrine state that it constitutes an anachronism, an antiquity now obsolete.

I think, on the contrary, that the Monroe Doctrine is a living reality; a myth which serves as a cloak to the following natural fact: the ambitions of a powerful people who pretend to exercise their hegemony over a group of weak peoples, giving to their domination the insincere appearances of unselfishness and benevolence.

In their short century of life as independent States, the nations of America are not indebted to the United States for any protection whatever or for any assistance in their development.

The great southern nations have developed, and above all, have lived through their own efforts and through European influence. Those in a formative stage look to Europe for their source of progress.

If, for instance, Mexico is indebted to the United States at all it must be for the loss of a considerable part of her territory and the stimulations to barbarism which have covered with blood the part not conquered. This blood would not have been shed but for the sad influx which has brought ruin upon her.

I do not deny that some American countries, by way of exception and incidentally, may owe this or that benefit to the Anglo-Americans; but it is a fact admitted by their own writers, that the United States have not known how to develop a policy, at least courteous, towards the other countries of the continent. Selfishness, for which they should not be blamed inasmuch as it is a natural rule with nations, has been almost constantly shortsighted and brutal in its manifestations.

SANTIAGO PÉREZ TRIANA¹

ORIGIN AND SIGNIFICANCE OF THE MONROE DOCTRINE²

On November 22, 1822, the Plenipotentiaries of Austria, France, Prussia and Russia concluded at Verona (Italy) a secret treaty, which had for its object the completion of the Treaty of the Holy Alliance, signed by the Emperors of Russia and Austria and the

¹ Colombian diplomat and writer (1860-1916); former member of the Permanent Court of Arbitration at The Hague.

² Extract from address delivered in London by Dr. Pérez Triana June 19, 1913, entitled *Origen y Significación de la Doctrina Monroe*, printed in *Hispania*, July 1, 1913, p. 657.

King of Prussia at Paris on September 26, 1815. Among other declarations the secret treaty of Verona stipulates the following:

Article I. The high contracting parties being convinced that the system of representative government is equally as incompatible with the monarchical principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

Article II. As it cannot be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations, to the detriment of those of Princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it.

As an answer to the spirit of reaction which animated the Holy Alliance, embodied in the secret treaty of Verona, President Monroe, in his annual message to Congress of December, 1823, made, among others, the following declarations:

The occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers. . . . We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

We may say with absolute historical propriety that President Monroe's declaration embodies the defense of representative government in the American continent, as proclaimed by the United States and the Latin-American republics of America in their constitutions. This occurred when the Holy Alliance had already declared its intention of cooperating in reconquering the rebel Spanish colonies in America, and at a time when the absolutism of Ferdinand VII had already been restored in his country, through the intervention of the French forces and under the auspices of the Holy Alliance. Both declarations are recorded in the history of the first quarter of the last century as the expression of two tendencies, that of European monarchs, reaction, in 1822; and that of President Monroe, liberty, in 1823. . . .

The nations of Europe have divided themselves into two rival groups, which have succeeded in maintaining an uncertain peace among themselves at the price of a latent war which is in its turn ruining them, tending toward barbarism; they direct most of their

energies to increase their military establishments. The burden imposed on the people is more intolerable every day. As a result, rebellion against present institutions is everywhere springing up. Those two groups of nations have, during the last forty years, waged predatory wars of conquest in every region of the eastern hemisphere. They have distributed among themselves the African continent, Asia and the islands of the Pacific Ocean. There is not a single foot of territory left for them to acquire in the eastern hemisphere.

They look with ambitious eyes upon the immense territories extending to the south of the United States.

The condition of that part of the American continent may be briefly stated thus: an immense territory politically subdivided under the control of numerous republics militarily weak, as compared with the navies and armies of Europe; the total population of all those republics could be comfortably contained within the boundaries of any of the largest of them.

It is natural that the governments and the peoples of Europe should wish to extend their conquests to the American continent; they have not been able to do so. Their navies and armies have not crossed the seas to continue in America the work of conquest, and this is the case although internal discontent is ever increasing in European nations, and although, right or wrong, governments and peoples in Europe judge that the conquest of new territories would be an effective cure for their maladies.

We frequently hear about European coalitions to sweep, as with a hurricane of shells, the obstacle which stands in the way of the political emigration of Europe, leaving the southern part of the continent free and open to political conquest. There is no need of seriously considering these fears; the rivalries which divide the peoples of Europe and the internal problems which trouble them, render impossible any coalition. The attitude of the peoples of North, Central and South America towards those of Europe is generous and hospitable. We say to them: "Come by the hundreds, by hundreds of thousands or by millions; you have here forests, mountains and prairies where you can build your homes; come and assist in the work of forming free nations. Remove the dust from your feet, and the traditional prejudices from your mind, and you are welcome; but if you come in a spirit of conquest; if you undertake to transplant to our continent the political traditions which drive you from your countries, compulsory military service, unlimited

armaments, the inheritance of your wars during the last one hundred and fifty years, resulting in the enormous national debts which oppress you and which every European meets in his cradle as a curse; if you expect to make of our continent a mere political province of your countries, then the doors will be closed to you."

Those who study history in the spirit of criticism, fixing their attention on these or those facts, may contend that the Monroe Doctrine has been an element of violence, of usurpation or spoliation. This I shall not discuss. Suffice it for me to say that where violence, usurpation or spoliation have existed they stand by themselves and do not affect the Doctrine. The transgression of the priest does not affect the sanctity of the creed, and the vice of the pontiff does not sully the purity of the doctrine.

The greatest and most humane citizen until now produced by the continent, defined representative government by saying it was the government of the people, by the people and for the people; that was the conception of government which the Holy Alliance aimed to destroy. That was the conception of government for the defense of which the Monroe Doctrine was proclaimed. The conquest or colonization of the territories of America by European Powers would mark at present as in the past the end of democratic and representative government, which constitutes the noblest experiment of mankind up to the present time in an effort to establish liberty and justice; accordingly, the Monroe Doctrine is not the property of the United States, nor is it the property of America, but of those men who seek liberty, whatever their origin, throughout the whole world.

PAN AMERICAN UNION ¹

The great Powers of Europe have constituted themselves into two separate groups, which partake of the nature of an alliance. The main object of these international coalitions is to establish peace in Europe, on which to a great extent the peace of the world depends. One of those groups was formed more recently than the other. Nevertheless, the tendencies represented by both of them have been the principal factor in European politics for the last fifty years.

The effort to maintain peace in Europe has achieved a success unprecedented in history. Since the Franco-Prussian War of 1870, no battle has been waged on European soil.

¹ Memorandum printed in *Hispania*, February 1, 1914, p. 925.

The peace which has prevailed in Europe during that long period does not imply that there has been peace in the rest of the world, nor does it imply that there has been peace between European nations and other peoples or countries outside of Europe.

That period of peace in Europe has coincided with a persistent and inexorable movement in favor of the political expansion of Europe, having for its object the acquisition of foreign territories. This growth or expansion has been always accomplished through violence, devastation, bloodshed, and all the outrages of war, barring exceptional cases which, being rare and insignificant, do not merit our consideration.

The peace which has prevailed in Europe has been throughout its duration, and is today, essentially precarious; it is an armed peace; life and property are not destroyed, but nevertheless many of the evils inherent in war subsist, and their influence is felt in all the activities of national and individual life.

The Powers have found themselves constrained to maintain large land and naval armaments. Each Power endeavors to maintain a better armament than its neighbors; a ruinous competition has ensued and it is impossible at present to predict how or when it will end. It is generally accepted that constant increase of armaments forebodes inevitable disaster to civilization. The maintenance of armaments carries with it heavier taxation, which in its turn implies hunger for the people; hunger turns a submissive dog into a wild beast, and a law-abiding citizen into a demon.

On the 13th of March, 1911, Sir Edward Grey, the eminent British Secretary of State, addressed the House of Commons as follows:

Revolt will not come till the taxation presses directly upon those classes for whom existence at the best must be a struggle. When you begin to make hunger by taxation sooner or later, and the naval and military expenditure of every country goes on increasing, then you will be within measurable distance of a revolt which will put a stop to it. That is the direction in which the great countries of the world are tending.

The governments of Europe are perfectly aware of these threatening circumstances. Many sincere and fruitless efforts have been made to remedy them; after each failure, the race towards disaster acquires new impetus. This furious and conscious descent into the abyss constitutes the frightful tragedy of our era, which casts its shadow over all those conquests with which science and art daily enrich humanity.

The spirit of rebellion referred to by Sir Edward Grey has haunted the world for a long time past. When, as on some recent occasion, a few million disciplined soldiers, already returned to civil life, again organize themselves on a military basis for the purpose of casting their vote in an election which is intended primarily as a protest against prevailing systems and institutions, we may say that "the revolt is within measurable distance."

It is believed, whether the belief is well grounded or not, that territorial expansion arrests the evolution of these social phenomena. It is believed that territorial expansion would bring homes for the excess of population, preserving at the same time for the respective mother country the political allegiance of the emigrant; it is believed that it would offer employment and promotions to impatient naval and military forces, and it is also believed that it would bring new incomes to exhausted national coffers.

Considered in this light, expansion becomes at one and the same time a relief to inevitable sufferings, which already exist, and a promise of great possibilities to the nation. No attention is paid to the inhabitants of conquered territories.

The international temperament of the present era culminates in a moral incongruence, the existence of which is difficult to understand in these analytical and cynical times in which we live. At the same time that law regulates with precision the most insignificant activities of social life, so that not the least violence or theft may go unpunished, the very same communities in which this takes place undertake expeditions for the purpose of expansion involving wholesale murder of men and destruction of property. That which is considered meritorious when done collectively would be condemned as infamous and punished as criminal when done individually. This inconsistency is incomprehensible, and on the other hand ominously significant. The nations have assumed the irresponsibility and blind fury of the manifestations of nature, such as the typhoon, the cyclone, and the earthquake.

As the causes subsist and increase, the European movement for expansion will necessarily continue.

To be subject to invasion it is essential that a territory be in weak hands; as the great Powers have agreed not to hinder one another in their enterprises, weak nations must submit to what is inevitable.

It may be said that the distribution of territory in the Old World

has come to an end; it therefore becomes indispensable for Europe to seek new fields of action.

As regards European expansion the American continent has enjoyed absolute immunity up to this time. On the other hand, the conditions of the Latin section of the continent are essentially conditions of weakness. This arises from the disparity between the population of each republic and its territorial responsibilities. The whole Latin population of America could be comfortably contained in one of the larger republics, leaving the remaining immense extension of territory to be occupied by other peoples. The immunity of Latin America, from her emancipation up to our times, is due mainly in a great many cases, and entirely in other cases, to the timely declaration of President Monroe in 1823, which since then has stood as an impassable barrier in the way of European ambitions.

The declaration of President Monroe closed the doors of the American continent once and forever to European conquest. On the other hand there have been wars and other circumstances which have converted the United States itself into a conqueror of foreign territories. This has given rise to a feeling of distrust on the part of Latin-American countries and unless dispelled it may seriously impair the peace of the continent and encourage European expansion and ambitions.

The restoration of cordiality and faith between the United States and the Latin republics would unite the continent and simplify the task, which may unexpectedly become too difficult, of preserving inviolate the liberty and independence of the American nations.

All this may be accomplished without difficulty when the United States and the other republics of America solemnly declare that conquest is definitively forbidden in the American continent, binding themselves not to practice nor tolerate the conquest of territories in America. This, nevertheless, must not and can not imply any attempt to redeem or secure compensation for past conduct, because all would be lost by doing this. Existing problems among American nations should not be affected by the compact of continental union, and should continue their normal development to suit the convenience of the respective nations. The main object of this Pan-American Union is to check the political expansion of Europe, and also to end once and forever all future conquest of American territories by American nations.

In more than one respect the world is confronted with a resurrec-

tion of the Holy Alliance. It is timely to recall the exact words of President Monroe: "The political system of the allied powers is essentially different from that of America." This is still the case. The systems which employ or permit or take advantage of the methods of conquest practised in recent years in Madagascar, in Morocco, or in Tripoli, for instance, would be inadmissible in all American nations. These systems are fundamentally opposed to the principles of liberty and democracy which rule the destinies of America. The political creed for the nations of America, opposed to the rule of force and violence which is the supreme rule in the international life of the Old World, has been proclaimed by as high an authority as the Monroe declaration. In the early part of January, 1911 [*March 22, 1910*], President Taft said:

Personally, I don't see any more reason why matters of national honor should not be referred to a court of arbitration than matters of property or matters of national proprietorship. I know that is going further than most men are willing to go. But I do not see why questions of honor may not be submitted to a tribunal, supposed to be composed of men of honor who understand questions of national honor, to abide by their decision, as well as any other question of difference arising between nations.

In a few words, it will suffice if the United States and the American republics accept Monroe's declaration carried to its utmost logical development as a fundamental principle of international law for the continent.

LETTER TO JOSÉ VICENTE CONCHA, PRESIDENT OF COLOMBIA, OF
SEPTEMBER, 1914¹

According to the announcement made, the Pan-American Congress, which has on other occasions met in Washington, Mexico, Rio de Janeiro and Buenos Aires, respectively, will meet during the coming month of November in Santiago de Chile. Assuming that Colombia will be represented in this Congress on this occasion, as she has been in previous ones, I have deemed it proper to offer you some suggestions which might perhaps be useful.

I ask your indulgence, and beg you to excuse me if I should divert your attention for a moment from the very important and numerous duties imposed upon you by your high office.

The present European war exceeds all other wars recorded by

¹ *Hispania*, November 1, 1914, p. 1237.

history in magnitude and possibilities of disaster. From the very beginning it upset the moral temperament of the nations and fundamentally confused social, industrial, and economic harmony. It is in addition giving rise to acts of barbarism and cruelty incredible in this century of the Christian Era. Institutional laws having been discarded in all Europe, only martial law prevails at present, that is, the absence of all law and the supremacy of the military criterion, which is influenced solely by the necessities of war. Europe, therefore, is under the hegemony of barbarism.

This hegemony is the culmination of the system of European equilibrium or balance of power. The two groups of Powers which competed for the domination of the world, and which during the last forty years—those very same years of so-called peace—have waged incessant predatory wars of conquest in the eastern hemisphere, have been dragged by the inevitable fatality of the system to this woeful clash of one group with the other. Europe has been advancing towards the catastrophe with open eyes. Noted thinkers from all the countries of Europe, from reactionary schools as well as the most advanced ones, have predicted the disaster, expounding it in a dilemma with two unavoidable alternatives, either social revolution within the separate nationalities or war between the various nations. Internal social revolution would come when the masses, burdened with taxes which were ever increasing like an irresistible tide, despairing of redemption, and unable to endure any more suffering, resorted to violence. External war, imposed by the gravitation of circumstances, which constituted the other alternative of the dilemma, would arise as the recourse—old in history—of discredited and agonizing systems, to prolong their impaired predominance. This last thing has happened.

The discipline of this war will never bring an immediate definitive relief; undoubtedly it will educate the people through suffering and will awaken new desires to establish the rule of justice; on the other hand, it is to be feared that, whether one or the other group succeeds, victorious militarism will long prevail in the official policy of the nations.

It is today contended, and I think rightly, that the group in which England and France are included, is fighting German militarism. But England and France will be able to conquer only with Russia's assistance. Russia's militarism is not less dreadful and ominous than German militarism; and it is not probable that France and

England will be tomorrow less submissive and docile with a victorious Russia, than they have been with a Russia vanquished by Japan in recent years in which they have been her allies, and in which liberty has been suppressed in Finland and humiliation and pillage have been resorted to in Persia. If on the one hand it is proper to hope that the lesson taught by the war may bring about an evolution towards justice, that aim can only be accomplished after a period of prolonged gestation to prepare for the final defeat of militarism through revolution.

The American continent, with the exception of the colonies of the belligerent countries, is outside the political reach of the hegemony of barbarism under which any colony established in America by Europe would fall. Europe has the same colonies in America that she had during the latter part of the first quarter of the nineteenth century, when the war for independence ended, except the colonies lost by Spain. Since then, Europe has not established colonies in America because the United States has prevented it in accordance with President Monroe's declaration contained in his message to the Congress of the United States on December 2, 1823. That message stated in clear terms that the United States would not suffer the application of the European system to any part of the American continent. The words employed imparted a diplomatic gentleness to their import without diminishing the rigidity of their substance.

That declaration is an integral part of the policy of the United States; it leaves no room for doubting that that nation will support the principle there proclaimed with all its prestige and power, should occasion arise.

At this point, and before proceeding any further, it is proper to make two observations: the first is that the principle announced by the United States is not based on unselfish, altruistic, or humanitarian interests. It is based exclusively on that nation's convenience; on a desire for isolation with respect to the Powers of the western [*eastern?*] hemisphere and their complications; that desire is unequivocally expressed in Washington's farewell address and in numerous official documents and in the writings of North American statesmen, such as Jefferson, Madison and Adams, previous to the date on which it was announced in concrete form in 1823.

The other observation is this: the United States, while it has prevented the conquest of American territory by European nations, has not been logical, nor honest; it has not respected the inherent

equity of the principle; it has conquered territories, thereby violating the sovereignty of other American nations.

European wars of conquest during the last forty years, as to which there has been no part of the world sufficiently remote, arid, or unhealthy to be exempt from conquest, justify the assertion that if these conquests could have been effected in America, that part of America which it might have been possible to conquer would have been conquered. This statement is supported by the fact that European Powers on different occasions have designed to conquer American territory, failing in their efforts due to the intervention of the United States in some form or other. We should remember, among others, the case of Mexico, invaded by France, England and Spain in 1861, and Germany's attempt, supported by Italy and England, against Venezuela in 1902.

It is sometimes argued that our countries are sufficiently capable of defending themselves, so that all foreign protection is superfluous. This way of looking at things, in cases in which it is sincere, is a mere illusion of exaggerated patriotism rather than actual patriotism. We may ask: How could a Latin-American country or a group of them defend themselves against a victorious Kaiser or Czar? The armies of those monarchs consist of millions of men. For those monarchs, especially for the Kaiser, a war which would furnish new territories in which to establish nations as a political extension of the *Vaterland*, would be a holy war. Since the days of Frederick the Great, the Prussian school has become more and more prevalent in Germany, a school which absolutely controls the policy of the German Empire, and whose more noted expounders, Klaussewitz, Bernhardi and Treitschke incessantly preach the creed of pillage.

If the European conquerors have not come to America in the past, and if they are not to come in the future, it is due entirely to the potential power of the United States, which, should the case arise, would have millions of soldiers to face millions of soldiers, and could do this without having to cross an ocean thousands of miles wide to transport them. In dealing with those possibilities we must take extreme cases into consideration.

It may be said that the United States is not a militaristic nation; that is true; not at present. Yet, when occasion arose during the War of Secession, at a time when the population was about forty millions, instead of a hundred as it is today, the United States, including the North and the South, raised an army of over two and a

half million soldiers, who fought over two thousand five hundred battles. These possibilities have sufficed until now to protect the continent; undoubtedly their efficacy would be no less in the future.

The policy of the White House has undergone a substantial change of orientation as regards Latin-America. A good man has come into power, whose conscience will not permit him to compromise with iniquity nor sanction the historical and universal principle that an act which is unlawful for the individual is legal when done by a nation. Dr. Wilson has proclaimed from the high eminence of his position, the principle that the moral law for the statesman as well as for the individual should be based on justice and not on convenience. The statesmen from all parts of the world, adhering to the tradition of the governments of all epochs in history and alarmed by such boldness, have called him a dreamer, because they dare not call him a traitor. President Wilson has not been satisfied with words; he has resorted to acts. His fellow-citizens have witnessed this when, appealing to national honor, he secured the repeal of the Panama Canal Tolls Act, which was a law of convenience, but not a just law. So too in Colombia, with the treaty of April 6 of this year, by means of which the wrong imposed upon the Republic of Colombia by the Roosevelt Administration is amended as far as it is humanly possible.

The Monroe Doctrine, which has protected us against European conquest, did not prevent our being robbed. The United States has not up to the present carried that Doctrine to its extreme logical development, which would be to prohibit conquest—which is robbery and spoliation—intrinsically as conquest, whoever may perpetrate it, whether an American republic, a monarchy or a European republic.

Today the old order of things changes. In October of last year, in the city of Mobile, President Wilson declared, in the name of the United States, that from now on the latter would never acquire territory in America through war or conquest. Wilson is as much entitled to speak in the name of his country as was Monroe. The value of Wilson's word, the great importance of the same, what that word implies as the triumph of the principles of international justice, may be measured, just as temperature is measured by means of the thermometer, by the hysterical and clamorous fury with which it has been received by Roosevelt, the disciple of imperialism and the oppressor of Colombia.

The time is now propitious to obtain from the United States a solemn ratification of the principle proclaimed by President Wilson in

Mobile. If there is grievance in any quarter against the United States due to past acts, it would be an unpardonable error to let this prejudice our minds now that Wilson has wiped out the past; if the personal and historical elements now presented are not taken advantage of, it would constitute a regrettable omission of incalculable results.

A Monroe Doctrine carried to its utmost logical development, to protect the continent, as it has protected it against the greed and desires of Europe, and to check Yankee imperialism and the shameful imperialism of aggressive tendencies which is already manifesting itself in Latin-America, would constitute the greatest source of tranquillity and progress for all America.

This may be accomplished in the coming Pan-American Congress about to be held in Santiago de Chile; the necessary agreement should be adopted there between all the American nations. Undoubtedly it will be necessary for that agreement to be ratified by special conventions between the governments. It might be—let us hope this is not the case—that some countries would oppose a moral guaranty of their respective territories and the territory of all American nations by each and all of the others. This would imply designs and territorial ambitions on the part of the countries opposing this project which, in any event, it might be well to expose.

The personal elements of the present moment are decisive; the delegates of the United States to the Pan-American Congress will be unable to deny or refuse to support the principle so nobly announced to the world by President Wilson in Mobile; the precedent thus established would constitute an obstacle to imperialistic enterprises, assuming that the old tendency should revive in the United States with the coming into power of Roosevelt or any other like him.

I think that the Latin-American nation which proclaimed the principle of international justice to the effect that the sovereignty of those countries is not to be violated by another American country or countries, nor by the countries of another continent, thus extolling the Monroe Doctrine and completing its moral integrity, would greatly promote justice, liberty and democracy, so seriously imperiled in these dark and turbulent times of war and extermination in Europe.

I respectfully beg you to raise the banner of that noble ideal, in order that in the name of our country the delegates of Colombia may submit it to the consideration of the next Pan-American Congress.

There will be those, and you will hear them, Mr. President, who will say to you and to the Republic that the most that can be accomplished is the signing of a treaty by all the North, Central and South American nations; but that this will be of no avail because tomorrow, when the powerful deem it convenient, that treaty will be repudiated as was the treaty between Colombia and the United States; it will be said that to put our faith on the written and signed word of nations at this time when Germany has just trampled under the hoofs of her cavalry the treaties providing for the neutrality of Luxemburg and Belgium, signed by all Europe, declared to be "scraps of paper" by the Minister of Foreign Relations Jagow, is an unpardonable puerility. It will be said that force depends on the sword and that the only voice heeded by the world is the roaring of the cannon. To this I answer that that is the eternal lie of Draconians and of demagogues to obstruct the evolution of justice.

We the weak have no other protection than the law; if we ourselves make haste to discredit law, we will incite and point the way to the violators of the law. If law crumbles, our duty is not to bury it in the mire of insult and contempt; our duty is to raise it from the dust, and place it high, very high, as the Saviour raised the Cross, that it may be a guiding light to awaken the conscience; to submit ourselves voluntarily and in advance to deceit and violence, is to merit slavery, and is in addition treason to our country. We are not compelled to be cowards before the battle starts. We have no armaments. Let us uphold the law, having as we have, faith in the final victory of the law.

SPEECH DELIVERED AT THE BANQUET GIVEN BY THE BOSTON CHAMBER OF COMMERCE TO THE DELEGATES OF THE PAN AMERICAN FINANCIAL CONFERENCE, JUNE, 1915 ¹

On the 22d of November, 1822, the allied monarchs of Europe signed a secret treaty at Verona whereby they pledged themselves to do everything in their power for the suppression of representative government wherever it existed and for the prevention of the spread of representative institutions wherever they did not exist. On the 2d of December, 1823, President Monroe made a declaration which has come to be one of the most portentous and pregnant facts in the

¹ Extract. *The Boston Herald*, June 20, 1915, editorial section, p. 4; Spanish translation in *Hispania*, August 1, 1915, p. 1421.

history of the world; it is therein maintained that the American continents by the free and independent condition which they have assumed and maintained are thenceforth not to be considered as subjects for future colonization by any European powers; that the political system of the allied powers of Europe is essentially different from that of America; that any attempt on the part of the powers of Europe to extend their system to any portion of this hemisphere would be considered by the United States as dangerous to their peace and their safety.

The period of time when those utterances were made coincided with the lull that followed the French Revolution and the Napoleonic wars. The victorious dynasts of Europe sat uneasy on their thrones; their vision of life was obscured by the procession of events during the preceding thirty years, which lingered in their memory as a warning and a menace. All the traditions, all the sanctities of life as they conceived them had been trampled under foot in the name of that horrible Utopia called "Liberty" and through the agency of that dreadful monster called The People. It had become imperative to prevent beyond all possibility the recurrence of such calamities; liberty must be stamped out as a poisonous plant and the people must be kept in deep subjection beyond all mad dreams of revolt. Thus, the monarchs entered into their compact. In the pages of history, the Monroe declaration stands as a reply to the royal covenant. And if those same pages of history are followed to the present day no deep scrutiny will be required to verify the evolution of the two systems embodied in the two documents.

The Monroe declaration closed the continent of America to the system of Europe and consecrated the American continent to the system of democracy. In Europe the system of balance of power [prevailed] throughout the whole of the 19th century and up to the present moment; the present European catastrophe marks the inevitable result of a system based on inequality and privilege.

The United States have been true to their word; the continent of America has been maintained free from European conquest. President Monroe's utterance is not an international treaty, nor does it pretend to protect the weak and the defenceless; it is based solely and exclusively on the welfare and the convenience of the United States. As that welfare is identified with liberty and justice sought through democracy, all elements of selfishness disappear and the element of greatness enters into the declaration. Therein lies the fundamental

essential quality of excellence and goodness of the doctrine. The oak spreads its branches in obedience to the law of its nature; yet it gives shelter to the birds of the air and shade to the wanderer from the heat of the noonday sun.

In preventing the introduction of the European system among their neighbors, the United States primarily protected themselves. In 1826 Daniel Webster, speaking in the House of Representatives, stated that the concern of the government of the United States in cases of landing of foreign troops on the American continent would become intensified in direct ratio to the proximity of the invaded land to the territory of the United States; that an invasion in the Gulf of Mexico would necessitate prompt and energetic measures, while the disembarkment of an alien force in the then remote regions of the river Plate might only call for diplomatic protest. Matters, however, have changed since then; the river Plate region is nearer the United States today than the Gulf of Mexico was in Webster's day.

The Monroe doctrine has saved the sovereignty of the American nations from European conquest. In the last 40 years European powers have conquered every available inch of territory on the Eastern Hemisphere. Those military and predatory activities of Europe have served a multitude of purposes; they have justified in a measure the military and naval establishments; they have procured an outlet for enterprise and capital, even at the point of the bayonet; they have constituted a sort of safety valve for the growing pressure of the armaments and their consequential fosterings of rebellion. Had it been possible to continue the wars of depredation on the Western Hemisphere the present European war would have been avoided and those wars of depredation would have raged from the Rio Grande down to the southernmost end of the continent.

The assertion made in some quarters—especially in Latin-America—that the Latin-American nations are able to protect themselves, is futile and untenable. The law of necessity invoked by the great military powers recognizes no other law than that of a superior force. What superior force could any nation or group of nations in Latin-America oppose to a great European military power? What could the best organized communities in Latin-America or the most numerous in population like Argentina, Chile and Brazil, do against a landing force of half a million men, escorted by a fleet of dreadnoughts? After what we have seen in the last 30 years of unprovoked attacks upon civilian populations, of massacres, of defenceless multitudes in

the path of territorial conflict; of declarations of war, made after the premeditated sinking of ships or bombardment of forts, can it be assumed for an instant that the undefended property of the weak could not be torn from him by the strong, without compunction or hesitation?

The Monroe Doctrine, that is to say, the principle of the inviolability of the continent by conquerors from the outside, must be rendered unassailable by the joint efforts of all the nations of the continent. The shoulders of the giant are broad, the giant is powerful, yet in the maintenance of endeavors vast as the continent and coeval with the passing centuries, no honest cooperation should be rejected or ignored, and no hostility, no matter how insignificant it may appear, should be engendered.

The apparent antagonism between the two continents, Europe and America, does not lie in the nature of things, it resides in the conventions and vested interests of men. America has never been closed to men as men, it has been closed, and shall remain closed, to the system that may signify a menace to liberty and democracy. The system of Europe means not only the sediment of oppression but the arbitrary vested interests contrary to democracy, which seek to extend their domination to other lands, failing which they must perish under the advancing wave of popular rebellion within their own homes. Let it be remembered that all the nations of Europe are still paying for the wars of Napoleon, and for all the wars of the 19th century, and that they are at the present moment burdening the future generations with debts that will enslave them economically for the centuries to come; and that all this is a result of those systems barred from the American continent by the Monroe utterance. Thus it may be seen how transcendent and boundless is the Monroe Doctrine for the continent of America and for the welfare of humanity.

In order to secure the whole-souled support of the Monroe Doctrine throughout the breadth and length of the continent, that doctrine must be carried to the extreme end of its logical development. The Monroe Doctrine has closed effectively the continent of European conquest, but it has not prevented the exercise of conquests in both sections of the continent. I am formulating no indictment, my contention is purely analytical. It should be enacted and covenanted among all the nations of the continent that the territory of the American nations is no longer a subject for conquest either from within or from without the hemisphere.

Such a declaration, as far as the United States are concerned, has already been made by the President of the United States; it is not to be supposed that any other American republic should be less explicit. Internal inviolability is the essential foundation of inviolability from the outside. The proposition that violence and pillage—that is to say, conquest—are iniquities in the stranger and virtues in the neighbor is unworthy to be maintained and accepted by self-respecting peoples.

This continent stands pledged to the proposition that justice is not a question of quantity, but of essence; that crime cannot become virtue because it is exercised collectively, and that there is no human power that can give to iniquity the charter of patriotism.

Looking backward to the history of this land and to the written precepts of its collective efforts, and to the achievements realized, we of the southern half believe in our hearts that such are your guiding principles. We do not call you perfect, and no man and no nation has ever been perfect. But we believe in your sincerity of purpose, as you must believe in ours, and so we may go hand in hand towards the rising sun. Were you to demand flattery as your due, my lips would be dumb to utterance and my heart closed to admiration. We depart now taking a message of gladness to our peoples. We have trod on hallowed ground, where the act of Independence was signed, and where the will of the people crystallizes into law; we have stood beside the tomb of Washington, and we have crossed the silent plains where the spirit of Lincoln hovers as a memory of immortal fragrance, and now we stand on the soil twice consecrated to liberty, where man first fought and suffered and died for the liberty of the land, and later for the liberty of the slave. We have seen your boundless fields rich in the promise of the coming harvest. We have seen your cities eager and magnificent, your heaving workshops, and we have felt the conquering throb of life in field and city, wherever we turn; we have seen the prosperous multitudes, the happy homes, and the busy marts; we have seen the wandering seas in their pilgrimage and the inland oceans enclustered, and we have been told that all that prodigy is but a fringe of your imperial purple; that beyond in all directions the miracle extends immeasurable and resplendent.

And we know that such achievements could only have been accomplished under the protecting wing of liberty, and that your essential treasure more precious by far than your wealth and your progress lies in the principles of liberty and equality of your institu-

tions, and your loyalty to them. Were your loyalty to cease, your greatness would vanish like a noonday dream. And thus we bid you farewell. There is a perennial dawn on the horizon, for the task of men is endless, and every noble endeavor is a rising sun. Ours means the union of America for the liberty of man.

SIMÓN PLANAS SUÁREZ ¹

There are two points of view in Latin America regarding the Doctrine under consideration. A part of her thinkers and statesmen fear it greatly, and consider it as a great menace threatening the sovereign existence of our republics; the rest regard it as perfectly salutary, necessary, and indispensable to the preservation of our independence and territorial sovereignty. But this difference of opinion originates in the confusion arising between Monroe's declarations, which constitute a principle of American international policy accepted by all the republics of the continent, and the policy of imperialism or hegemony followed on various occasions by the Washington Government, against which all the republics to the south of the United States have protested and will continue to protest. Consequently Latin-American republics accept the Monroe Doctrine as a conservative and protective rule, according to the spirit of its original proclamation, which is altogether different from the whimsical extensions of the same by unscrupulous politicians.

Clovis Bevilacqua, the noted Brazilian publicist, says that:

The Monroe Doctrine must be considered as definitely inscribed in the code of international law, not only because it has been applied with the consent of the peoples of America and of one of the greater powers of Europe, but also because in the First Peace Conference it was implicitly recognized by the representatives of the nations there assembled.

Alejandro Alvarez, a distinguished international lawyer from Chile, writes: "This Doctrine, just in itself, embodies all the characteristics of a rule of international law; it is an American rule, in the sense that it must govern the relations between European States and America."

¹ Diplomat and publicist of Venezuela; present Minister of that country to Portugal. The extract contained herein is taken from his work entitled *Tratado de derecho internacional público* (Madrid, 1916), vol. I, pp. 134-45.

Consequently, the controversies between Latin-American writers have been animated and, undoubtedly, some of them very enlightening; but we must admit the truth of these words of the illustrious Colombian, Pérez Triana:

Those who study history in a spirit of criticism, fixing their attention on these or those facts, may contend that the Monroe Doctrine has been an element of violence, of usurpation, or spoliation. This I shall not discuss. Suffice it for me to say that where violence, usurpation or spoliation have existed, they stand by themselves and do not affect the doctrine. The transgression of the priest does not affect the sanctity of the creed, and the vice of the pontiff does not sully the purity of the doctrine.

The acts of violence committed in the name of the Monroe Doctrine do not discredit its original efficacy and they hardly imply that a powerful nation takes advantage of its force to the detriment of other weak nations, which is entirely foreign to the Doctrine and offends it as much as civilization itself is offended when under its protection the great Powers commit the greatest outrages, "abandoning themselves to all kinds of excesses and violence to the detriment of countries whose only fault is their weakness," as writes Eduardo Cimbali, the eminent professor of Sassari University.

But be the various ways of reasoning what they may, we must not question the proposition that the declarations embodied in the Monroe Doctrine should be regarded as the *magna charta* of our international personality, as they asserted our independence by solving the question of our recognition as sovereign States, making it possible for us to enjoy in fact the privileges granted by law to civilized nations, on a political occasion when, but for the energetic declaration of the Washington Government, the supreme efforts and struggles of the liberators would have been jeopardized for a long time, together with the final accomplishment of the independence of the new republics.

Today the situation has already changed: the Monroe Doctrine still represents the interests of the whole continent, and all American States agree on maintaining it in its original form. Because it must be borne in mind that Latin-American republics are very zealous of their sovereignty and of their independence, and "the statesmen and public opinion of the United States have not been alone" says Alvarez, "in the wish that Europe should respect the independence of American States. This thought was deeply rooted in the public opinion and in the minds of the statesmen of the countries of Latin America also." . . .

A noted Spanish-American thinker, Leopoldo Lugones, says lucidly in an article on Pan-Americanism:

The first form of Pan-Americanism, restricted to the necessity of defense then of pressing importance, was the Monroe Doctrine. Its declaration constitutes the most decisive act for the independence of Latin America, and thanks to that Doctrine, our territorial integrity has been preserved. The Monroe Doctrine, therefore, is still necessary to the security of America; but in the interest of the United States itself, it is desirable that the Latin republics of the new continent should consent less passively to its application. The Monroe Doctrine should belong to all America, and not to the United States only, because the greater the number of nations adopting it, the less will be the possibility of abuse.

Thus everything tends to establish that the original declarations known as the Monroe Doctrine are entirely accepted by the republics of the Latin-American continent; but not so, as we have before noted, with regard to the political system of hegemony or imperialism practised on various occasions by the United States, which has been emphatically repudiated by all Latin-American nations, and which has served no other purpose than that of arousing the fear of having the Government of Washington extend a policy which would evidently result in detriment to the sovereignty and independence of the nations of the New World.

If the Monroe Doctrine be restricted to *its essential basis*, as Rowe says, to *its original content*, in view of the cordial relations existing between the countries of South and Central America, there will be no reason to fear, offend the susceptibilities, or arouse the opposition of those countries.

Because it is evident, as Mr. Root said, in his aforementioned address, that the rights of the United States in respect to the other American States, are not, under the Monroe Doctrine, greater than those of the other republics; "they are rights of equality. . . . The most that can be said concerning a question between a powerful state and a weak one is that the great state ought to be especially considerate *and gentle in the assertion and maintenance* of its position; ought always to base its acts not upon a superiority of force, but upon reason and law. . . . But in all this the Monroe Doctrine is not concerned at all."

Latin-American statesmen have always unanimously and most emphatically maintained with regard to the scope and genuine significance of the Monroe Doctrine the same opinion as that expressed by Mr. Root.

Consequently, Europe and America labor under an erroneous belief when they consider the Monroe Doctrine the cause of the outrages perpetrated in its name and under its shield by the Washington Government. The policy of hegemony or imperialism can never become an extension or derivation of the Monroe Doctrine, except through bad faith, corrupting salutary principles. The American republics, loyal supporters of their independence, can perceive no difference when some foreign Power threatens the sentiment of nationality and sovereignty, whatever its origin; and just as they warmly defend the principles of right and justice, which they regard as the greatest protection of their sovereign interests, they also repudiate in an energetic manner any tendency or intention to infringe upon those same interests. So that the original declarations and the spirit of justification which inspired President Monroe to make them, are entirely different from certain reprehensible acts on the part of the American Government, which, if done in the name of the Monroe Doctrine, constitute a lamentable distortion of the same. . . .

It is evident, therefore, as we have already noted above, that the Monroe Doctrine is not nor can it be personal to the United States; it arose out of a political situation of Europe, and was wisely adopted at an opportune moment by President Monroe.

Nevertheless, previous to that time the political principle made famous by the message of 1823 had been already proclaimed:

John Quincy Adams, who, during the presidency of Monroe, first clearly enunciated the doctrine which bears his chief's name, asserted it as against both Spain and Russia. In the clearest and most emphatic terms he stated that the United States could not acquiesce in the acquisition of new territory within the limits of any independent American State, whether in the Northern or Southern Hemisphere, by any European power. He took this position against Russia when Russia threatened to take possession of what is now Oregon. He took this position as against Spain when, backed by other powers of Continental Europe, she threatened to reconquer certain of the Spanish-American States. (Roosevelt, *American Ideals*.)

This Doctrine will always represent, therefore, the political and economic necessities of America, and the Latin republics of the continent consequently approve and defend it in this sense; but they will not tolerate that through a misconceived extension or erroneous application the Doctrine be interpreted to serve individual beliefs in the policy of the Washington Administration.

If all our republics were great Powers, strong and wealthy, the

Monroe Doctrine would perhaps not exist in its present form; it would probably be unnecessary, either because each republic would be sufficiently capable of defending its rights as an independent State to the fullest extent, or because other political principles might exist emphatically proclaimed and better supported. But unfortunately such is not the case; the situation is quite different, so evident and well known as not to require explanation. Consequently, the shield which has protected the Latin-American people against possible conquests of their territory by European nations has been the Monroe Doctrine, which, being a principle of continental policy, faithfully represents the sentiment of all America without distinction of race or latitude.

The distortions of this Doctrine, not of the principle underlying it, the perverse extension of its postulates, the outrages committed in its name, do not discredit it, in so far as its moral and just signification is concerned, just as civilization is not discredited by the outrages committed by force in its name.

The Doctrine, says Professor Woolsey, has assumed new forms, as a *policy*; it has been altered, developed as the occasion demands; *but its fundamental basis remains unchanged*; it may be questioned whether the application of the policy proclaimed by this Doctrine is or is not justified; because the policy followed by a State may be altered according to circumstances but the fundamental principle is immutable.

The acts of violence and the aggressions of the powerful against the weak will ever be disguised under some name in an effort to justify them; but never will they be the result of an honest and just principle or of any moral and sincere doctrine.

Turning again to the consideration of the Monroe Doctrine in respect to certain acts of hegemony or imperialism of the Washington Government, we must repeat that these do not affect or discredit the principles embodied in the original declarations, since on the other hand, fortunately, those acts have appeared isolated, characterizing rather the personal policy of certain statesmen, and as such have been bitterly opposed by prominent members of the American Congress and by public opinion in the country in general, which has greatly censured them.

And this is so evident that—though it is true that in the past the United States has extended its territory at the expense of an American republic and that at present imperialistic tendencies more or less

disguised are apparent—the American Government has refused to share the ideas or intentions of some of its statesmen to this effect, and has declared on the contrary, through its most noted representatives and in the most emphatic manner, that neither *the Government nor the people of the United States desire a single inch of territory belonging to Latin-American republics.*

It should not be regarded as an excess of confidence that we fully and sincerely accept the declarations of the most distinguished statesmen of a great Power; but if we admit the consecrated rule that *good faith is to be presumed between nations*, with greater reason it must be not only presumed but accepted as an incontrovertible truth, as a consecration, in the word of its distinguished representatives, given on solemn and memorable occasions.

Without mentioning others, we shall cite the remarks of Honorable Elihu Root, made with as much tact as energy when, as Secretary of State of the United States, he paid an official visit in 1906 to various South American republics. And the remarks of the eminent statesman and diplomat possess a greater meaning not only because Mr. Root spoke as the most authorized representative of the great Republic at that time, but because as a lawyer and international jurist his authority is world-wide and his opinions are respected. He said in his emphatic remarks:

We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire; and we deem the observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights or privileges or powers that we do not freely concede to every American republic.

As early as 1905 President Roosevelt said in his message to Congress, that: "Under no circumstances will the United States use the Monroe Doctrine as a cloak for territorial aggression."

And not very long ago, October 1913, the present President of the United States, Woodrow Wilson, in a famous address delivered at Mobile before the Southern Commercial Congress, in which he made the most emphatic and persuasive declarations, solemnly pledging the faith of the United States as to the friendly relations existing between his country and the Latin-American republics, *based on equality and honor*, concluded with the words: "The United States will never again seek one additional foot of territory by conquest, . . . and she must regard it as one of the duties of friendship to see that from no

quarter are material interests made superior to human liberty and national opportunity."

President Wilson's *declaration*, ninety years subsequent to President Monroe's *declarations*, has the same force and is worthy of the same respect as those of the latter, and from now on the principle of American policy of 1823 will be supplemented by that of 1913. And this will be the occasion for all the American republics to solemnly accept and proclaim in public treaties the Monroe Doctrine, supplemented by Wilson's declaration, that: "*The United States will never again seek one additional foot of territory by conquest*," giving to both their logical development and scope.

The reason for this lies in our assumption that he who condemns *conquest* guarantees *liberty*, the highest ideal cherished by all men and all peoples, for as Cimbali eloquently expresses it: "If the slavery of man is condemned, how shall we logically sanction the slavery of a people, whether it be barbarous or backward, and the forfeiture of its rights? How can a man be a man only when considered in his individual capacity and cease to be such when through a natural and spontaneous association with his fellow-beings, he becomes a part of a people? Why should the acts regarded as abominable crimes against the rights of mankind, when taken in connection with an isolated man, be permitted against thousands of men united in a single body?"

Individual rights, as the rights of society and the State, are only possible when the independence of individuals and nations exists, because individual or collective slavery is the negation of all law; so that independence should be proclaimed as the first and most sacred of all human rights, and not only as regards civilized peoples, but as to all the peoples of the world, though they may be classed as barbaric, because in the light of justice and the honor of nations, the right to independence can never be considered as the privilege of powerful States to the exclusion of weak peoples.

To condemn *conquest* and respect the liberty and independence of others, as proclaimed by Root and Wilson in their important declarations, is deserving of great honor in a great people, inasmuch as, says Cimbali, "if robbery is shameful conquest cannot be a source of pride," and peace between nations can only be effective and beneficial when the right of all peoples to their independence is firmly established, which is, as an eminent publicist says, the right of all rights, the right superior to any other, the right without which no other right is humanly conceivable.

Only through the sincere practice of such principles of international political morality can our continent be closed to the process of usurpations or attempted acquisitions of territory, under whatever pretext or form; only in this way can the prejudices be removed and fears allayed which prevail today concerning the imperialism of some or the pretended hegemony of others, thus being assured the peace and tranquillity among the American republics, whatever their material power; because, considering ourselves apart from the United States, no one can question the fraternity of Latin America, nor the community of its political and social aspirations and, notwithstanding, we have also had the misfortune to lament wars which resulted in the loss of territory, and which will forever bear witness to the fact that imperialism prevailed once in the relations between republics which are sisters by race, ideals and continental interests. The very boundary disputes between some of the Latin-American nations, a great many of them settled through arbitration, have revealed a certain spirit of territorial expansion dominant among them; but in reality, fortunately, perhaps this has been merely an extraordinary patriotic zeal, which has regarded territory as the most valuable inheritance received from our liberators, and as to which the parties have pressed their claims too far, although based on historic and legal titles, which facts rendered their disputes none the less bitter, seriously endangering in many instances the peace between sister nations.

But the fact is, as Sienna Carranza declares in his interesting volume *Cuestiones Americanas*: "No human association is entirely free from antagonism between its members, whether it be of man towards man, family towards family, State towards State, or race towards race."

The Monroe Doctrine is, we believe, a defensive weapon for the Latin-American republics, a political fulcrum absolutely indispensable to their welfare and development; it is, as we might say, the cornerstone of our sovereignty and our independence. But as a political principle, it cannot accomplish by itself all that the community expects from it, because it is evident that environment exerts its influence over the precept, and the same is true of the Monroe Doctrine as of any other political or juridical principle, whether it relates to the internal affairs or international relations of States.

Consequently, in order that it may be useful and salutary, positively effective, the Monroe Doctrine absolutely needs the support and acquiescence of all Latin-American republics, because, as wrote

the illustrious President Jefferson, our effort should undoubtedly aim to make of our hemisphere the home of liberty.

The Monroe Doctrine, as we had the opportunity of seeing, insured our independence and guaranteed our territorial integrity, not by virtue of the idea of one man or the necessities of a nation, but on account of the interests of a whole continent. Of course we cannot ignore that Doctrine, nor can we abandon it to one State alone to be applied and universally imposed by that State according to its own views. The Latin-American republics, if not severally, represent jointly a great political, economic and intellectual power, and they are entitled, for the best of reasons, to declare the true interpretation and scope to be given to a principle of American policy, which they themselves originated and have defended unflinchingly for almost a century.

Because it is evident and unquestionable that the Monroe Doctrine in its original conception, notwithstanding the sympathy of the Washington Administration towards the efforts of American republics to secure their independence, was never based on a simple altruistic sentiment concerning the governments of Central and South America, but on the security and interests of the United States itself, which for very obvious reasons were and are common to all the sovereign republics of the New World.

The scope of the Monroe Doctrine was not limited to the specific situation which gave birth to the declaration of 1823. The Holy Alliance disappeared; European nations do not now seek the reestablishment of monarchical principles in American territories, and no Power claims the right of colonization in America. The general relations of diplomacy between the American republics and European nations are based on the principle of legal equality and identity of sovereignty, which was clearly recognized in the Second Peace Conference at The Hague.

The Monroe Doctrine undertook something more than the specific solution of the situation out of which it arose; it was the *Declaration* of a general principle for the future, and this is evident not only from the generality of the terms employed, but from subsequent discussions and especially from the uninterrupted understanding between the men who participated in the *Declaration* and their successors.

Central and South American republics were directly and immediately benefited by the *Declaration*, and have reached a point where,

by virtue of their moral and material progress, they constitute a factor themselves for a more ample determination of the entire scope of the Monroe Doctrine in the peculiar policy of the States of the continent.

Latin-American republics are morally and materially bound to constitute the best defense and bulwark of the principles set forth in the Monroe Doctrine, to complement it with the Wilson *declaration*; and, through a judicious and patriotic orientation, they can perfect it, and thus, avoiding war and freely establishing arbitration, giving an example of advanced civilization and of respect for law and justice, they will arrive at the continental declaration that *American territories are not to be touched, that no territorial expansion will be permitted to any state of our continent, whether European or American, nor will any act be tolerated which tends to infringe our acquired rights of independence.*

This would constitute the only and truly solemn proclamation and consecration of international peace in our continent, because, as recently expressed by Pérez Triana,

A Monroe Doctrine, carried to its utmost logical development, to protect the continent, as it has protected it against the greed and desires of Europe, and to check Yankee imperialism and the shameful imperialism of aggressive tendencies which is already manifesting itself in Latin America, would constitute the greatest source of tranquillity and progress for all America.¹

This is the expression of the honest and just belief of all America as to the exact appreciation and value, according to the most legitimate interests of the continent, of the famous Doctrine, born in 1823 as a result of the attitude of President Monroe, briefly stated in his memorable message.

VICTORINO DE LA PLAZA ²

It is a fact that both the initiation and the actual meeting of the First Congress ³ were looked upon with misgivings by the European

¹ *Hispania*, November, 1914, p. 1238.

² The following extract is from the address delivered by Dr. de la Plaza, as Minister of Foreign Affairs of the Argentine Republic, at the opening session of the Fourth Pan American Conference, Buenos Aires, July 12, 1910. *Fourth International Conference of American States; Report of the Delegates of the United States* (Washington, 1911), pp. 45-7.

³ The first Pan American Conference was held at Washington, October 2, 1889-April 19, 1890.

nations in the supposition that it was proposed to stir up local interests or sentiments tending to create certain barriers to the commercial and political relations of the two hemispheres; and it was believed that there was visible among its designs a coalescence with the Americanist tendencies of the Monroe doctrine. Nor were there lacking those who suspected that it was proposed to introduce a department in international law creating special principles for the peoples of America.

Events and the upright procedure pursued in the successive conferences have, nevertheless, completely demonstrated the falsity of such imputations, and to-day with due justice to the conduct of the American Republics, recognition is given to the great utility and positive advantages of these congresses, which, aside from the opportunity they afford for the elucidation of those matters of common interest which constitute the basis of their program, draw closer the bonds of union and friendship between nations, some of which are held together by their common origin and traditions, while all of them are moved by aspirations toward the common ideal of liberty, civilization, and progress. . . .

It is pleasant, moreover, to call to mind on this occasion the new direction given to world-wide politics by the incorporation into the world's concert and councils at the last Hague Conference, on terms of equality with the great nations, the greater part of the American States of Latin origin, even those of least extent and population.

It had come to be the inveterate custom of the powers to deliberate among themselves on the destinies of incipient and weak nations, as if dealing with States or sovereignties possessing neither voice nor weight in the control and development of the rules, principles, and declarations inherent in human societies, recognized as independent and sovereign in their international relations.

This condition of precarious autonomy and liberty of action, and the constant danger of being subjugated or suffering the mutilation of their territory, would have continued among these weak States but for the wise and famous declarations of President Monroe, to which we ought to render due homage; and but for the constant action of other continental powers of somewhat greater strength in the defense of their territories and sovereignties as well as their declared intention to cooperate for the protection of those States which were endowed with less strength and fewer means of self-defense.

Nevertheless, although such declarations and precautions have been in practice efficacious for the maintenance of the integrity of those international entities, they could not have a like influence in establishing their importance or the share they ought to have in the councils of the nations, or in the development of the rules and principles and rights to which the nations, whether weak or strong, should be amenable and by which they would be protected in their reciprocal relations and in their international conduct, in peace as well as in war, and in all those cases to which the law of nations is applicable.

The continuance of such a state of things, though it might not be said to be due entirely to the abuse of power, was due, undoubtedly, to an abusive neglect, which was neither right nor proper as a matter of reason or of law, and which therefore could not be perpetuated without a violation of justice.

It is true that the invitation to take part in the Hague Conference did not result from the spontaneous action of the powers, but from the initiative and insistence of the Government of the United States and of those of certain other important Republics of America, to whom is due the expression of sincere gratitude; but it is not therefore to be held as a fact less propitious or of less historical significance that the small States, up to that time held to be disqualified by their inferiority were thus admitted with the rank of sovereign States to take part in the elucidation and sanction of principles and resolutions which have been incorporated into public and private international law, and to which each State must hereafter adjust its rules and the conduct of its administration.

This sanction and recognition of the rights of the weak not only coincides with the principles of sound reason and justice, as has been said, but it also raises the dignity of our nations, impels them to progress and places them in the pathway of moral and material improvement wherein they will contribute by their labor to the productions, the commerce and the prosperity of all.

RAFAEL REYES¹

It is not my intention in this general summary of the impressions I have formed on my recent visits to the principal countries of Latin America to enter into an academic discussion from the standpoints of international law or diplomacy, of the relations of the United States with the Latin republics. I am sincerely convinced that, irrespective of past or future national policies, the sense of justice of the great majority of the people of the United States constitutes the strongest safeguard for the sovereignty and independence of all of the nations of the south. It may, therefore, perhaps be permitted to me as one who has played a prominent part in the effort to secure the blessings of peace, both within and beyond the borders of some of the southern republics, to point out what I regard as the primary causes of the doubts and suspicions prevailing in many of the Latin countries in regard to the attitude and intentions of the United States toward them.

The first and most important factor which operates as a bar to harmony of purpose and to mutual confidence is the popular misconception in the United States of the true significance and objects of the Monroe Doctrine, which, in many quarters, is looked upon as a kind of international police regulation to be administered by the authorities at Washington for the better preservation of peace and order in the somewhat extensive municipal area of Latin America.

It does not appear to be sufficiently known or understood that President's Monroe's famous Declaration in 1823 was designed as a measure of protection for, and not as an instrument of attack upon, the integrity of the then recently established Spanish republics; and that, from its initial adoption down to its latter-day reaffirmation, it was intended and has been declared to be governed by the sole object of linking together the sisterhood of the American republics and of guarding the weaker States coming within its sphere of operation against the undue aggression of any of the countries of the other hemisphere.

This interpretation of the much abused doctrine has been distorted by a not uncertain wave of misrepresentation, strengthened by a section of the press, into a widespread belief that the United

¹ Former President of the Republic of Colombia. The following extract is from an article by General Reyes published in *The New York Times*, September 21, 1913, pt. 5, p. 12, under the caption "Go Slow with Latin America—Warns Gen. Reyes."

States derives from the provisions of the doctrine in question the right to intervene in the internal affairs of, and to exercise a species of suzerainty over, some of the Latin republics when it is considered necessary or desirable to do so. It is by that belief, to which color has been given on frequent occasions by mistaken official action, that the doubts and fears entertained in Latin America as to the policy of the United States have been engendered.

That pernicious propaganda has likewise tended to obscure the fact that every one of those republics which, in their early political development, struggled so valiantly to free themselves from the yoke of oppression and the misgovernment to which in their colonial serfdom they had for so long been subjected, is a distinct unit among the American nations, with every claim known to justice and right to territorial integrity and the fullest independence. . . .

There must be a wider recognition of the fact that the relations of the United States with the Latin republics are those of a friendly, powerful neighbor, with no other objects than the advantages to be gained from the ties of sisterhood and the extension of commerce. There must be a saner propaganda as to the inalienable sovereign rights and complete independence of even the smallest of the Latin States. There must be no "big stick," and no such use of the Monroe Doctrine as to make it an instrument of terror to the smaller republics, and a subject for ridicule in the greater countries of the South.

The more advanced Latin nations appreciate and sympathize with the benevolent designs and objects of that doctrine, as is shown by the formulation of their own doctrine, intended to protect the smaller States against the employment of armed force by foreign nations for the collection of contractual debts. But they resent the spirit of domination and tutelage which implies that they need the protection of the United States against foreign aggression.

These nations, which owe their birth to heroes of the type of San Martin and Bolivar, have inherited traditions which have created great figures in the domains of jurisprudence, philosophy, literature, and art. They have no other territorial ambition than the preservation and cultivation of the areas within their defined limits. They have attained a position in the council of nations which gives them the right to a voice in defense of the interests of their weaker sisters. But, while they have always refrained from the exercise of that voice in an official or active form, it is conceivably possible, and it has even

been suggested, that alliances may be formed with a view to giving effect to popular sympathies and sentiments.

Although widely separated by distance, and by lack of community of interests, the ties of blood and of common descent make an attack upon the independence of any one of these nations an attack upon them all. They are inspired by the most friendly feelings toward the United States notwithstanding the fact that they are indebted for a large share of their great prosperity to European capital and immigration. Given equal conditions, they are even disposed to encourage favors to American commerce, but it is essential that the people of the United States should understand that such favors are dictated exclusively by the bonds of friendship and by a desire for the establishment of American union in its best sense.

In this brief summary of the impressions formed during my recent travels through Latin America, I have, with probably excessive vigor, expressed in a general way what I believe to be a reflex of the situation as it exists in the two great divisions of the American continent.

I have never failed to seize an occasion for the expression of my own admiration for the high qualities and undoubted sense of justice of the people of the United States. I believe to the fullest extent in their sincerity of desire for the fulfillment of the aspirations and for the welfare of all the Latin republics; and if in the expression of that belief I have used forceful language, it is because of my fervent wish to cement the friendly relations of all the American nations.

My feelings are also shared by a large section of Latin Americans who believe that the future greatness of America rests upon a harmonious union of all its component parts, but that the accomplishment of this most desirable end will only be effected when it comes to be more generally understood that each individual republic is as much entitled to its sovereign independence and freedom of control of its domestic affairs as the United States itself.

ROQUE SÁENZ PEÑA¹THE MONROE DOCTRINE AND ITS EVOLUTION²

Not a few of our public men admit the validity of the Monroe Doctrine at the present time, and have come to consider it as the foundation and underlying principle of American international law. Whenever the Doctrine is invoked by the Washington Administration in support of transitory and selfish interests, Central and South American publicists applaud enthusiastically as if the memorable message of December 2 represented to them the *fiat* of national independence in the political evolution of the Latin-American republics. In my judgment, these men labor under an erroneous belief and are guilty of anachronism. If we consider it now in the light of the political developments to which it has given rise, that Doctrine lays bare to us the scars with which time and selfishness, from Polk to Cleveland, have marred its moral physiognomy, its legal significance and structure. As an act supplementary to the policy of Great Britain outlined by Canning's foresight, the Doctrine was at one time proper; it fulfilled its mission and accomplished its historical object during the first third of this century. Being an opportunistic declaration, it was at that time useful, only to become obsolete during the latter part of the same century in which it was announced. The message of December (1823) may be compared to the firing of a gun as a warning to stop, which was heeded by the fleets of the Holy Alliance, thus defeating the aims of its policy of assisting Spain to regain possession of her colonies, only because the league of absolute monarchs had been already admonished by England's protest and Wellington's withdrawal from the Congress of Verona—implying a policy opposed to intervention and to the violations of the law of nations which subsequently took place in Spain. The principle of *non-intervention*, therefore, did not originate with Monroe but was suggested by the British ministry under Canning's powerful influence. In this regard the Doctrine lacks originality, and when the Washington Administration claims that it is their own national doctrine, it asserts a title which Great Britain may well claim as tenant in common; the United States navy sailed

¹ International jurist, diplomat, former President of the Argentine Republic. The following quotations are from a collection of Dr. Sáenz Peña's works published under the title *Escritos y Discursos* (Buenos Aires, 1914).

² Extract from article entitled *La Doctrina de Monroe y su Evolución*, *op. cit.*, vol. I, pp. 383-93.

under convoy in this venture, or else was in tow of the British navy, and this was not in reality a hazardous task, nor was it evidence of initiative or boldness. Being in fact an introduction to an ultimatum, the Doctrine possesses on the other hand the characteristics of an act preparatory to a state of war, and on this account is at present devoid of a scientific reason and of international value; as the creature of necessity, it represented the rule of force and at the same time condemned forcible intervention. It was arbitrariness as opposed to illegality, without perfecting the means or rendering the authority lawful; nor were the invading theocracies more cunning or more violative of the law of nations. Considering this declaration in its legal aspect, it does not, as we will see, attain the dignity of a doctrine; it is an act, but not an international practice or theory, nor a policy; in other words, it consists of two intimations, intertwined in one single display of power, which, though it served to restrain Europe, took care not to restrain the eagles of the United States in their liberty, thus bringing the continent under the protection of their wings and their not less auspicious motto, and which was not at all impaired by the *E pluribus unum*. The Doctrine is but an armor or shield of an obsolete type; it presupposes menaces and dangers which we no longer need to fear from the Old World, and for this reason it should rank among the antiquated means of defense: the present age has no use for a coat of mail.

Many are the Latin-American States which might question the truth of our affirmation that Monroe's principle was purely defensive in character; Mexico, for instance, might say that it has been immoderately used as an instrument of annexation; Nicaragua might perhaps speak more emphatically in view of the Clayton-Bulwer Treaty which, laying aside Monroe's scruples, established in 1850 a protectorate of England and the United States over oceanic communications and over the territory of Nicaragua through which said communications were to be effected; as to South American nations, protected by the barrier of distance and not by the Monroe Doctrine, we need not preserve this Doctrine as an heirloom, because it never affected us, and as far as we are concerned it passed away as a mere *res inter alios acta*. The New World being composed of free and independent republics, none of them ever attained sufficient international prestige to represent the others or to control their destinies in their relations with the Old World. That imaginary line which seeks to perpetuate itself across the ocean to separate

two continents from each other, is not a doctrine but rather is a parody of the famous line drawn by the Pope to divide the world in halves, conferring these upon precarious and insecure sovereigns. Monroe's warning committed the destinies of America to the narrow pages of a parliamentary message which, had it attained an international scope, would have given rise to debates over personality. There is not at present, and there has never been in the past, a ministry in the New World invested with authority to make a declaration condemning or threatening European Powers, and no one could commit the continent to a given policy or attitude without the express assent of the free nations into which it is divided. Our forms of government, our right to make a cession of our territory, could not be questioned by any American or European nation, unless it were done by virtue of amphictyonic legislation or rules, and these presuppose the existence of a superior sovereignty. Under the law of nations and under the civil law as well, acts which in their nature ought to be performed collectively or jointly are not legally binding if they become unilateral; the same benefits, the same acts, if unauthorized, must be ratified by the beneficiary, just as the guardianship must be requested and accepted by the ward. If the absolute monarchs constituted themselves into a Congress, and the plenipotentiaries exchanged their credentials, to discuss the destiny of the world, another international congress, through a similar usurpation and having the same object in view, undertook to control the destinies of the New World, and that was Bolívar's impression when he recommended a meeting of the Congress of Panama in 1825. American pride, which characterized all acts of the Liberator, moved him to establish the proper individuality of the new nations, in order to rebut the inert plasticity in which they were left by Monroe's message; undoubtedly, Bolívar intended that they should be no longer considered as a fact or as a condition giving rise to policies foreign to their emancipation; he endeavored to endow them with political and international personality in order that they might have voice and vote where their destinies were to be decided and where their representation had been accorded.

The aims of the Congress of Panama were not in any sense hostile to the United States, the latter having been invited to attend in the first place, nor even to the Monroe Doctrine; on the contrary, its object was to give that Doctrine a continental signification and scope, with the conscious and voluntary assent of the new nation-

alities; this is the tenor of the official invitation and of the preliminary program which contains, among others, the following clause: To consider the means of giving effect to the declaration of the President of the United States (Monroe) relative to ulterior purposes on the part of any foreign Power to colonize any part of this continent, and the means of resisting any foreign intervention in the domestic affairs of the American governments.

The motives and purposes of the conference were most favorable to the policy of the United States; the Congress of Panama intended to adhere to said policy, as a *fait accompli* authorized *ex post facto*. Bolívar's conduct was plausible. Monroe's declarations furthered America's interests, and these interests approved it; but the wishes of these States had not been taken into account, and the conference proposed to voice them, homologating in the international sphere an act, irregular in its origin, which had issued unwarrantably from the depths of a parliament.

The Congress of Panama was not viewed with favor by the federal legislature; Congress began by limiting the authority of its representatives, investing them with a mere diplomatic character, and finally rendered its representation ineffective; one of the delegates arrived late and indisposed, and the other did not arrive at all, because he died on the way. The conference adjourned in Panama to meet again in Tacubaya, in an effort to get closer to the Union and facilitate the latter's representation. But Bolívar's effort did not meet with greater success in the new site of the Congress; more or less fruitless declarations were made, and these were ratified by only one of the signatories, due to the fact that the declarations of the federal Congress had dealt them a deadly blow at the outset when the *per diem* allowances of the delegates were being discussed.

The Congress in Washington declared on that occasion that the federal Government could not join in a common cause with the states of South America on the question of colonization; that true to the ties of friendship which bound it to the new States, the principles of honor and liberty which governed its acts compelled it to remain in complete liberty to act according to the circumstances.

When the Secretary of State, Mr. Adams, suggested that a recommendation be made to the States of South America, to the effect that they should make a declaration *on their own account* in support of the Monroe Doctrine, the proposition was absolutely rejected, because it was thought, as said by Calvo, that it would bind the

Northern federation and the Southern republics morally. The refusal of the federal Congress was most boastful and unfriendly; it killed all hope of even a moral bond, as though the nations of this part of America had not constituted themselves on the basis of political equality, or could not make treaties and declarations without affecting the honor of the United States, claimed to be involved at the time all solidarity was refused. It was the attitude of the Washington Government that put an end to the Congress of Tacubaya, once the plenipotentiaries were convinced that Monroe's declarations were not American but Yankee declarations aiming at a strictly national policy of limitation. But, on what authority was it proposed to announce a local and private policy applicable to all the continent? Why speak in the name of America when they were acting on behalf of the United States? If the Southern nations were not permitted to become parties to the declarations and treaties which were to be made, President Monroe could not undertake a protection which was not sought and less could he force said protection on them; nor was the federal Congress warranted in rejecting the assent offered by the new nations to a *fait accompli* which it was not possible for said Congress to remedy. It is not exactly true that the United States acted only in its own name and for its interests in announcing its political doctrine. It has been subsequently observed that it deals with the right of intervention and nothing else, a right denied to the Powers and arbitrarily exercised by the Northern Republic. The conflict between Venezuela and Great Britain furnishes a most striking example of the right of intervention which the United States reserves to itself over Latin-American republics; without going any further into that policy, which we will discuss in its appropriate place, we must recall an incident of the controversy between Venezuela and Great Britain, in connection with the Pan-American Congress, held in Washington in 1889. Venezuela had accredited her plenipotentiaries, and requested, through them, a resolution by the conference expressing its good wishes for an amicable settlement through arbitration of the controversy between Venezuela and Great Britain. It should be borne in mind that the conference had just announced the principle of arbitration as a means of settling international disputes, so that the Venezuelan delegate merely requested the application of that formula in the form of an impartial, humanitarian and friendly resolution. Some of the delegations approved and voted in favor of the proposition submitted by

Venezuela, but the representatives of the United States, which were ten in number, forgetting all about Monroe or reserving the formula to apply on their own account, voted against the resolution; the Argentine Republic openly supported the proposition submitted by Venezuela, and in subsequent debates had occasion to express its surprise at the attitude of the North American delegates, saying:

Not only have we been in that part of America the promoters and active agents in arbitration, but we come to uphold it here; and when the Delegate from Venezuela lifted his voice in this room asking an impartial and humane vote in favor of arbitration to settle its question with England, he knows well that the Venezuelans found a sympathetic echo in the hearts of the Argentine Delegates, and on our own part we shall never deplore too deeply that the resolution was opposed by the distinguished Mr. Trescot, and that it has not been reported to the honorable Conference, so that we might vote in favor of it with the changes which we indicated to its author.

Would to God that the wings of my sentiment could bear the wishes and hopes for American solidarity which I dedicate to a troubled sister from the very heart of the country of Monroe.¹

The descendants of the illustrious statesman did not acknowledge the allusion, but their subsequent acts throw a light on their reticence and explain their frame of mind. The United States did not wish to assent to any act of American solidarity, whether of a moral or philanthropic character; the governments having met for strictly commercial purposes, the United States did not wish to venture into the field of international and political declarations; from the standpoint of the United States, the governments there represented were mere markets for exports and not nations; America was not there; it was necessary to lay down once more the monopoly of the formulas which subsequently it has openly applied as against Great Britain and Venezuela, it not being possible to determine which of the two has suffered most; whether England who maintained her pride, or Venezuela who submitted to protection.

Error, too, has its logic, and usurpation its perseverance; if in 1825 the Congress of Panama was dissolved by the other Congress, which is nominally the American one, a similar fate befell the Congress of 1889, held in Washington, by reason of a negative vote, positive and final, the results of which were felt later when the American governments could not meet to discuss the matter and the Washington Administration had to deal with and solve a strictly American problem in behalf of its absent guests.

The policy of the Washington Administration was surreptitious

¹ Pan American Congress, *Minutes*.

on both occasions, which, nevertheless, did not prevent the failure of the Congress of Panama from being attributed to the ambitious aims of Bolívar, according to Mr. Clay's opinion contained in a note addressed to the plenipotentiaries at Tacubaya.

Bolívar's aspirations were on this occasion legitimate, not only because of their political scope, but because they represented a doctrine of wider application than the Monroe Doctrine, such as Canning desired and was conceived by the people liberated from Spain and Portugal. If we examine the invitation of Panama, it will be seen that it announces as a universal principle the doctrine of *non-intervention* as against any *foreign* nation, while Monroe conceived the same as applicable to European nations only. When Bolívar expounds his doctrine, he does not aim at Europe nor limit its defense to the schemes or menaces which might come from the Old World; his doctrine applies to all Christianity and defines the scope of sovereignty, placing it on a universal and juridical basis, which would have constituted the greatest advance in the law of nations. The principle of *non-intervention*, consecrated with all the ramifications which it was sought to attribute to it in Panama, represented the true doctrine, being equally applicable to both hemispheres and having from that time on a true international signification; the invitation of Panama, let me repeat, condemned intervention, not on the part of Europe but by any foreign Power, in the *domestic affairs* of the new nations; and if publicists have not emphasized the great differences which exist between Bolívar's note and the message of December, they take care, nevertheless, to admit the superiority of the first over the fragmentary doctrine announced in the latter.

In the opinion of Lawrence, it is an error to consider the Monroe Doctrine as a rule of public law specially adapted to the American continent. The law of nations is of universal application to all Christianity, and there can not exist an international law for Europe and another for America. When President Monroe declared, speaking of the new American States, that it was impossible to suffer European Powers to intervene in the affairs of these States in matters which represent to them their very existence, without thereby affecting the United States, there was nothing in that language which could not be applied to the right of a State to resist intervention by a foreign Power in the affairs of a neighbor State, whether the intervening Power be from the same continent or whether the aggression come from the other side of the ocean.

For the time being we shall not discuss the right of counter-intervention, admissible only, according to Lawrence, as regards neighboring States, in order to direct our attention to the universality of the principles of the law of nations, which was certainly not complied with in the message of December but was complied with in that of Bolívar. Let me ask, what was the position of the American nations as to the interventions which might come from the continent? Did any of them reserve that right in favor of the silence and mischievous purpose with which the rule was severed, notwithstanding its being in the nature of things indivisible and universal? Yes; beyond question President Monroe delivered his message with mental reservations of which his successors were to avail themselves in order to extend or limit that Doctrine, through arbitrary interpretations, as did Polk, or simply by means of absurd interpretations, as was the case with Cleveland. The message has apparently the qualities of India rubber, a dilatable and elastic substance, and may be adapted to every necessity and to the exclusive interests of the interventions to which it itself gives rise; we shall presently discuss its application to the various conflicts which have arisen in this continent. . . .

LETTER FROM DR. SÁENZ PEÑA TO DR. LUIS MARÍA DRAGO,
OCTOBER 11, 1903¹

My most sincere congratulations for the brilliancy and eloquence with which you defend your thesis; but allow me, at the same time, to differ a little in so far as the Monroe Doctrine is concerned.

You affirm that the Government of Argentina has adhered in the past to President Monroe's declaration, and I am inclined to think this is erroneous. I do not know of any act of our chancellery which implies an official acceptance of the Doctrine; on the contrary, in the wars or blockades which European Powers have imposed upon South American States we have never recognized such a doctrine, and I must assume that we did not assent to it in times of peace; and on the other hand, that theory never had an international or legal existence; it was a message of the President to Congress, which the chancellery did not receive from the White House and which remained as a domestic act between the respective branches of the government, and not as a definitive international act; the declaration of December 2 was, in my judgment, the firing of a gun as a warning

¹ Extract. *Op. cit.*, vol. I, pp. 435-39.

which did undoubtedly stop the ships of the Holy Alliance in their sinister enterprise against these colonies. That is true. But since the year 1823 there has been no protection and no act which might justify our adherence. Sarmiento's addresses which figure in his interesting book do not imply the adherence of his government; in the official address made upon presentation of his credentials he does not mention the Doctrine, and that made at the Rhode Island Historical Society is not an official address, nor did he speak in the name of the Argentine Government nor of its institutions. Sarmiento's personal adherence, on the other hand, is quite conditional, inasmuch as he begins by saying "that the famous theory is more a mist than a light"; I believe with Sarmiento or with Tilden, that I would call the Doctrine excellent if it were possible to ascertain in what it consists. The words of Monroe, as those of Polk and other American authorities, rather than a protection for which the occasion never arrived, imply a hegemony over the other States of this continent which never assented to it, notwithstanding Bolívar's effort in the Congress of Panama which had no other object than to express our view, either favorable or adverse, on that Doctrine. The recently liberated colonies had to exercise their sovereignty over questions which concerned their interests and destinies; the Liberator understood that the United States could not speak in the name of America without a free expression of the will of the American States; but the United States obstructed and disregarded those declarations, establishing the following conclusions: first, that they did not desire solidarity with the new States, emancipated from the Spanish crown; and secondly, that they reserved to themselves the right of acting in each case as their interests required. This policy offended our sovereignties to a great extent inasmuch as the United States have exercised and constituted a ministry for the New World against our wishes and without our assent. But is there in fact a real and effective protection in consideration of which we could assent to these encroachments upon our jurisdiction and sovereignty? We must look for the answer in the events which took place during the last century, and in the selfish policy brought about by that fiction. In my opinion the protection and support of the United States in the misfortunes and hardships of the other American States is a chimera and a pretext to enable the United States to decide and control before the world the destinies of this continent in the conflicts of force with European nations. Those

declarations are innocuous, fictitious and unwarranted; they lack an international reason and coercive power or force; they are not supported nor approved by the States which they concern, nor is their enforcement guaranteed by the nation which made them; to me they seem like those artificial doors which were intended to complete the symmetry of some irregular edifice; they may be regarded as mere backwardness of decorative art, but they deceived the incautious, who in cases of disaster mistook them for true doors to safety and thrust themselves against the walls as the Spanish-American States have many times thrust themselves against the colonnades of the Capitol, and in their great misfortunes found the doors, as well as the heart of Monroe's descendents, closed.

The force and guaranty of the nationalities of this hemisphere, we should not seek outside our means and interests; race is a stronger and more powerful tie than geography, which is a mere accident of nature; let us therefore seek the solidarity of the Latin-American States by creating a political and international bond against the new doctrines of intervention which condense the cloud in which the rays of imperialism are hidden. Who will be able to accomplish this great task? We Argentines, who, in calling the congresses to be held during the May Centennial, must crown the monument of the Revolution with the diadem of defensive fraternity of all the free peoples of this part of America, and we will have proclaimed the doctrine of Bolívar, abandoning the declarations of Monroe to their uncertain and selfish destiny.

EDUARDO SUÁREZ MUJICA¹

Now, then, whether the Monroe Doctrine is regarded with more or less favor in Chile and other countries of South America is a question undoubtedly due to the fact that the meaning and reach of that utterance by President Monroe has been so multiplied that nowadays it is really difficult for the public mind to discern what is understood by such doctrine, and as a result of this confusion of ideas public opinion, both in the United States and in the other

¹ Former Minister of Chile to the United States. The following extract is from a letter of Mr. Suárez Mujica to *The Washington Times*, December 27, 1913. See *Times* of December 28, 1913, p. 8.

countries of America, charge to the account of that doctrine all manifestations of the international policy of the United States in so far as they seem or are presumed to be contrary to the interests of the other American republics. In that way, whenever an incident touches the national susceptibleness of any of those latter countries it produces ipso facto a rebounding of antipathy toward the Monroe Doctrine.

Consequently, the advisable thing to do would be for the press to do its share in molding public opinion anew with regard to the meaning and reach of the Monroe Doctrine, in such a way that public opinion may know precisely what political action may be developed when the application of that doctrine is discussed.

Moreover, I am sure that you understand, Mr. Editor, that the countries which have reached a high degree of organization, of international standing and of autonomous sovereignty, have no reason to regard with suspicion any doctrine, because they will judge and decide for themselves and as their highest interests may dictate, as to the application of such doctrine to each instance.

We must not lose sight of the fact that the utterance popularly known as the Monroe Doctrine is not a principle of international law or of universal legislation, but merely a declaration of this Government which has deserved the highest respect in the United States, and that, at the same time and in the terms in which it was formulated, must have been gratifying to the other countries of America.

ALBERTO TORRES ¹

Under pretext of discussing the "Monroe Doctrine" the most obscure and ambiguous interpretations have been given. The political situation of our continent and of world civilization is so different from that of 1823 that it would be almost absurd to see the American people reiterate the declaration of their independence, of the inviolability of their territory and of equality of title to their power with that of European sovereignties, as was set forth in the famous message of President Monroe.

¹ Diplomat and writer of Brazil. The article from which the present extract is taken, entitled *Le Rôle international de l'Amérique et la Doctrine de Monroe*, is contained in a collection of writings of the author entitled *Le Problème mondial* (Rio de Janeiro, 1913), pp. 193-208.

The juridical status of American nations is definitely established; and in the present condition of our continent and the world, no European nation would cherish any project of upholding on American territory the pretensions that animated them during the formation of American nationalities and which they still make to the savage and barbarous territories of the African continent.

At the time the Monroe Doctrine was declared it was possible to distinguish in the first plan of world politics the following general characteristics of evolution: the expansion of the ideas of the French Revolution, combated by the Holy Alliance; European equilibrium in the form of a balance of power between nations of the traditionalist spirit; the beginning of peaceful immigration to the new countries of America; the opening of free traffic between the European commercial nations and the former colonies, up to that time monopolized by the mother countries; the influence of the individualism and economic liberalism of Adam Smith and Ricardo; the development of means of credit and commerce and of ways of transportation by the use of steam in navigation and railways.

These are the factors which, working upon the minds of Canning, Monroe, Jefferson, John Quincy Adams and Calhoun, inspired the declarations setting forth the ideas and attitude of England with regard to the recent emancipation of the South American peoples and that of the United States with regard to this political movement, the colonial pretensions of the great Powers to the territories of these countries and of Russia to the territories bordering on the United States.

All these elements must be considered for a thorough understanding of the principles formulated by President Monroe.

The delicate situation created by the alliance with France during the War of Independence and by the resemblance of the institutions of the United States to the French revolutionary doctrines was comprehended by American statesmen who many years before had felt the necessity of defining their attitude with reference to political disturbances and changes of form of government in Europe and of preparing their country for defense against the reaction which the absolutist parties opposed to the development of the spirit of liberty and to democratic institutions. In view of the alliance of European monarchies against French revolutionary growth and, later on, against the Spanish revolution, American statesmen were obliged to examine into the extent of their engagements with liberal thought,

the signification of their acts, the dangers which might menace the prosperous Republic by reason of fear of her example to the radical parties and of her cooperation with attempts at political transformation in Europe. These events having inspired certain persons with the idea of placing the United States in the vanguard of liberal progress, Washington was led to give the wise counsel contained in his "Farewell Address," where, in emphatically reaffirming the absolute independence of the United States, he begged his compatriots to avoid all intervention in European politics and to reject every proposal of alliance and agreement with the countries of the old continents. This counsel, however, did not prevent other demonstrations of American liberalism on the occasion of the independence of Greece and at Kossuth's attempt for Hungarian emancipation.

Certainly when President Monroe drew up his famous message the factor of a political character was a secondary point. But let us consider that the idea did not originate in the United States but in England, where it was expounded by Canning who precisely at that time maintained against Austria, Prussia and Russia the policy of resistance to the intervention of monarchist Powers in favor of the principle of legitimacy in revolutionary countries, for example, the intervention exercised at that time in Spain in favor of the Bourbons. Therefore it must be recognized that the declaration of the two governments for the independence of the South American republics of Latin origin expressed the ideas of liberal opinion against reactionary opinion. . . .

With the independence of the United States and the South American republics, two important facts should be pointed out: the development of spontaneous immigration and the existence of depopulated territories within the former colonies. Nothing was more natural in view of the weakness of the budding republics than the reappearance in international politics of the covetousness of the military nations.

There was one difficulty for the United States in its relations with Russia, England, Spain and France. Despite the vigor of its development, the possibility of ambitious plans for the future was not to be entirely overlooked; such a possibility was practically announced in frontier disputes with England and Russia during the presidency of Monroe. It would have been, moreover, an able stroke to have taken advantage of the time when the great European Powers strug-

gled in the crisis of the reconstitution of nationalities and the restoration of legitimacy simultaneously with the rise in America of new republics, having identical interests.

The time was really ripe for laying the corner-stone of a policy that would defend the national integrity and at the same time give a basis of operation for the development of influence and, eventually, for the expansion of the country.

The message of President Monroe contained two different statements: the first opposed to intervention and conquest the principle of the sovereignty of new nationalities; the other, more significant in meaning, opposed to the right of occupation the principle of integrity not so much of national territory as of American territory. For Americans contemporary with Monroe, America was a sort of political entity containing a certain number of sovereignties and a territory sheltered from European ambitions, with the exception of the possessions already existing.

The Monroe Doctrine contained neither a program nor an agreement for defense; it was simply a declaration, but the terms of this declaration were sufficiently elastic to permit to the United States the political activity necessary for its development and for the growth of its influence.

In a word the real meaning of the Monroe Doctrine signifies simply this: the law of nations is the law for the nations of America as it is for those of Europe; this Doctrine contains no innovation upon the classical rules of international law upon sovereignty and the equality of States, formulated by Grotius and Vattel; it does not even create a principle of American policy; manifested in a message it carries the value of any ideas expressed by statesmen. The United States has never felt itself obliged to invoke it in favor of American Powers, nor has it ever found itself embarrassed by restrictions upon its liberty of action in excess of those imposed by international law. This Doctrine has always remained in force as the political opinion of the American people, preventive, powerful and salutary in its efficacy.

The most remarkable consequences resulting from the execution and development of the Monroe Doctrine, except in so far as the United States is directly concerned, are the conclusions that Mr. Drago claims to have drawn from it upon the recovery of public debts by armed force and the amplification given to it by Mr. Theodore Roosevelt in his message of 1905.

It is interesting to reread the last part of the paragraph of this message, relating to the Monroe Doctrine:

This brings me to what should be one of the fundamental objects of the Monroe Doctrine. We must ourselves in good faith try to help upward toward peace and order those of our sister republics which need such help.

There is no way of mistaking the significance that these words would give to the rôle of the United States. From a simple defensive position they begin to promise a practical support, a sort of efficient cooperation for the maintenance of peace and the preservation of order in the intimate life of the American republics. This support, this "help," this animation, no matter what it is called, presents two clearly antagonistic aspects, under the form of solidarity for the aspirations and interests of the peoples of Latin origin; on one hand is the effort for the preservation of international peace; on the other, all the doubts and uncertainties and misunderstandings that may arise from this strange measure of safeguarding the "order" of other nations.

It is impossible to hide the fact that the statement of Mr. Roosevelt contains, in words imbued with excellent sentiments, the same pretext that European diplomacy has already made for exercising over independent peoples a certain number of forcibly arbitrary powers; but one thing stands out in a striking manner, it is the promise of friendly initiative in favor of peace on the part of the United States on this continent; and the American governments have always been able to fulfil these promises.

If this part of the message is interpreted in accordance with the ideas expressed by the former President in another passage of the same document upon the approaching meeting of the Hague Conference, wherein the eminent statesman manifested the hope that this congress would result in a marked progress in the application of arbitration to the solution of international conflicts, it is easy to discern his idea of directing the continent toward a policy of solidarity, with peace as its object.

This new phase in the development of the Doctrine leads us to compare the character of American policy, thus defined by the United States, with the doctrine of European equilibrium. The form chosen by Monroe was a spontaneous statement of the equality of American nations; for the principle of an international oligarchy of great Powers, each one balancing its forces and looking down upon the dignity and liberty of small Powers, there was substituted the

full recognition of the autonomy of all the national units of America. The message of President Roosevelt contained an express declaration of hegemony of the United States; it is impossible to deny in good faith that the existence of this kind of authority and political control was concealed in his statement regarding the duty to aid other nations, the exercise of which duty demands the right to examine into the business and foreign and domestic interests of those nations.

The Roosevelt doctrine was therefore a retrogradation in that collection of opinions called American international law; and this backward movement is all the more evident when we compare the words of the President with the attitude of the American delegates to the Hague Conference in the work of the constitution of the International Court of Justice, clearly contrary to the principle of the juridical equality of States.

The words of Mr. Roosevelt and the attitude of the American delegates hardly represent, however, a departure from the general line of American policy. And if it is considered that at that time the United States found itself, following the war with Cuba, in a state of patriotic enthusiasm and exaltation into which it was easy to fall in its imperialist excitement, it is not surprising to see it depart, under the government of the commander of the "rough riders" from its traditional line of respect for the sovereignty of sister nations; and all this was so well understood that neither the words of the message nor the acts of the American delegates at The Hague in any way altered the cordiality of relations or the reciprocal respect of the nations of America.

The United States has shortly to take a central position in international politics. Certain recent events indicate a new and broad turn in American policy; these are the address made by Mr. Roosevelt at Christiania upon world peace; the words of Secretary of State Knox recalling the classical case of international arbitration between the United States and England for the solution of their boundary questions and in confirmation of the pacifist policy of the United States; the resolution of Congress for the appointment of a commission of statesmen to study, together with other governments, means for the establishment of peace; and the general arbitration treaties signed by President Taft with England and France.

With this initiative the United States has elevated and enlarged the program of its international policy to the fullest extent: the Monroe Doctrine has been absorbed by the doctrine of peace.

Universal peace is today the political doctrine of American statesmen, the official program of the policy of the United States.

Since the United States has advanced to this point and converted the highest human aspiration into a political program, it is not to be supposed that, on their side, the South American republics will halt before their great sister of the north to claim the benefits of the Monroe message and to await and give thanks for the favor of Mr. Roosevelt's philanthropic promises.

Beyond dispute the United States has the right to assume a position of political initiative with regard to American nations. Without in any way usurping the power of those republics, it may claim a certain prerogative to represent their aspirations and aims before the other nations of the world, to expound the theories and principles which, by interpreting their sentiments and furthering their interests, are applicable to the life and future of their sisters of Latin origin, the latter being free to follow, tolerate or reject them. But after the United States Government has taken the initiative in courageously pushing forward the growth of its policy to the point of proposing the establishment of peace to European nations, it would be absurd for the South American nations to keep themselves in a position of fidelity to and dependence upon their great sister of the north in the name of an outworn Doctrine which is of no interest and can not be applied except upon occasions of war and conquest.

It is evident that the veneration of the American peoples for their great sister of the north, their gratitude for services rendered in the interest of American peace, in the cause of civilization and humanity, should be expressed by the acceptance of its right to initiative and direction in that general policy of American nations resulting from identity of social and political evolution, the principles of which the United States has always maintained with absolute sincerity and great intelligence.

Therefore, what is necessary is a policy of America toward other continents, a policy free from hostility or prejudice, without any idea of continental solidarity or unity beyond the common good. This policy has been explicitly declared by the United States: it is the policy of universal peace.

America, in a state of perfect peace, her gaze turned upon the wonderful future that awaits her on account of the richness of her territory and the energy and intelligence of her sons, has nothing to fear or to guard against except the perils she creates with her own

hands or that arise from a universal social crisis. Europe is no longer for her the continent of the mother countries, but the source of civilization and of culture, the ground of origin of certain of her races, the cradle of a great number of her inhabitants, the contributor to her progress and material wealth. From a political point of view, no shadow of menace, no point of rivalry, no discordant interest, no uncordial sentiment would justify our being haunted by the cares of military defense that burdened us before, when we were new and weak peoples face to face with strong and ambitious Powers. Europe regards us with a curiosity, interest and esteem inspired by our progress; we look upon her with mixed tenderness and veneration and with the respect of young peoples who have need of her enlightenment and the support of her civilization and culture.

The dangers to American civilization may be found in the very life of the nationalities and in their peculiar situation with regard to the new social and economic problems. More exposed to the reaction of contemporary economic struggles, America has to fear the corruption of her own civilization through the influence of capitalism and speculation and the dissolution of her nationalities by these elements and the victorious expansion of economic powers.

Most American nations have no reason to be more friendly with the United States than with the European peoples who as a rule are more appreciative of their friendship and services than those of any other nation. By reason of race, interests, civilization and culture, of frequent intellectual, economic and financial relations, almost all these nations look upon the old continent with more sympathy than they do upon North America.

From the point of view of the corruption of democracy and the abuses of capitalism and economic expansion they have no less to fear from the United States than from every other great Power.

Therefore we must banish from mind the idea of an American solidarity in opposition to Europe, in antagonism to its policies and separate from its aspirations and aims.

The factors prevailing in international politics at the time of the Monroe declaration have been altered or replaced.

Political struggles of a revolutionary nature have taken the pacific form of party competition; the problem of political liberty as set forth by the thinkers of the eighteenth century has been or is about to be solved in almost all the countries of Europe; commercial competition, having undergone the influx of progress and the material

decadence of peoples, no longer clashes with State monopolies and official restrictions. Under this *régime* of liberty, with the multiplication of the machineries of commerce, trade has increased to such an extent that the distinctions of nationality are disappearing little by little in the course of competition between individuals and associations; European equilibrium is consolidated into two forces whose antagonism is more apparent than real; the policy of territorial occupation brings about the liquidation of African spoils; Asia and the Mediterranean Orient commence to rejoin western civilization, to adapt themselves to its idea and seek to bring themselves up to the level of its plan of culture.

This state of affairs gives to the pacific policy proposed by the United States all the force and ardor of opportunity.

New phenomena are being produced in the life of peoples. Once political liberty, that conquest of the middle classes, is acquired, the proletariat claims the right to life, health and well-being. These interests are more important than the vote and legal equality, but are nevertheless repressed and almost ignored beneath the weight of political and economic privileges acquired during centuries of despotism and prejudice. The new and alluring territories of America, where hunger is unknown, territories always open to the aspirations of the poorer classes, commence to draw masses of immigrants who pacifically and voluntarily change their residence.

The question of the working man, showing the necessities and aspirations of the laborer up until now unconsciously expressed in vague demagogic formulas provoked by politics, creates a new and very dangerous disturbance in the life of the old national societies of Europe; voluntary emigration always offers little by little new grounds for the aspiration and labor of these oppressed masses.

The aspect of contrast and opposition being thus disposed of, the two more civilized continents of the earth find themselves differentiated by characteristics peculiar to their social and economic status, by their formation and the parallel tendencies of their progress; one, in full organic growth, the other in process of recomposition.

Europe casts off the disturbed aftermath of long and painful revolutions. The struggles of religion, of race, of nationality, of popular liberty against authority are almost settled; and under the influence of its inherited viewpoint and embarrassed by tradition and prejudice, its societies reconstruct themselves amid the throes of agitation and reaction.

Transported to American soil, European thought has planted upon our way the hardships of the struggles of religion and traditional policy; in the new nationalities formed by immigration, the racial spirit is effaced by the solidarity and competition of individuals: and if labor agitations arise in a sporadic and isolated manner in certain parts of the continent, they should be attributed to the friction of imported ideas agitated by habit rather than by conviction and by the unfortunate policy which in certain countries has favored with industrial protection the concentration of laboring masses.

Certain American peoples, by reason of a deeply rooted habitude, by the acceptance without examination of juridical and political principles and theories, by the survival of the sentiments of colonial struggles, and above all as a consequence of political interests and ambitions, have allowed themselves to be carried away by the spirit of imitation of the rivalries and intrigue of European diplomacy. The result is this atmosphere of enmities, of sympathies and oppositions, of abuses and violence, agitated from time to time by the volatility of declamatory patriotism applauded by the idle spectators of political struggles.

The consciousness of our real interests and of our future aims commences, however, to evince itself. Not having to settle the formidable problems that have troubled the lot of our brothers beyond the seas, Americans have realized that they must concentrate their forces and energy upon the consolidation of order at home.

Our unexploited riches attract capital; the uncultivated ground, the arm without employment; the earth and mines hold out the seduction of fortune to the ambitions of capital and the necessities of labor. We are the laboratory where a new humanity is being evolved, without traditions, without prejudices, without hindrances, having before us a source of immense riches.

And America rises up before Europe, not in antagonism, but as the fruit of its ideals and the ground where a great number of its difficulties are being solved. There is certainly an American policy, but the expression "policy" has lost the classical sense of competition between opposed groups and assumed the higher meaning of an aspect favorable to all the currents of opinion.

This policy is the policy of democracy. In organizing democratic policy America has simply taken the human problem at the point it was placed by the thought of the eighteenth century and given it a solution; but the mind of the eighteenth century not having been

able to see even to the bottom of the problem, stopped at a purely political solution of it.

This work must not only be confirmed but it must be realized and consolidated through study and by the control and direction of social and individual crises and the phenomena of the balance of forces and capacities. Political or civil liberty is a liberty of pure form; it must be grafted upon the vigorous tree of social and economic security. America has been predestined to this mission; and its accomplishment is inseparably bound to the realization of permanent peace.

The United States has realized and assumed the responsibility of proposing this to the world, as was shown by the initiative of former Presidents Roosevelt and Taft and the election of Mr. Woodrow Wilson. This initiative has given to the beautiful and gigantic nation the honor of creating a new imperialism, a moral imperialism of ideas founded upon the aspiration of influence by the force of justice, of the honesty of interests, by the irresistible fatality of good. To follow and support them upon this path is not an act of subordination to the stronger nation nor a sign of distrust towards other nations: it is to pursue the logic of our policy with regard to the new human problems; it is to place ourselves, before peoples and governments as free and progressive friends for the purpose of finding the solution of their own difficulties.

This should be the natural development of the ideal of Monroe, itself a development of the ideal of Washington and of Canning.

ALBERTO ULLOA¹

It is true that the original reasons which called forth the message of 1823 no longer exist. But it can not be denied that the message gave expression to a permanent policy of the United States which in the course of its historical development has become the basis of its foreign policy. Jefferson in referring to it, said "this sets our compass and points the course which we are to steer through the ocean of time opening on us." "A fundamental of our Republic"

¹ Professor at the University of Lima. The following extract is taken from a lecture entitled *La Doctrina de Monroe*, delivered at the Universidad Mayor de San Marcos, Lima, Peru, December 1, 1923. Lima, 1924, Casa Editora Sanmartí y Cía.

is the way in which it has just been described by President Harding. From the former statesman to the latter the political literature of North America is uniform in regarding it as a primary element of the national existence. But in order to be such it had to be based upon a more permanent reason than the particular circumstances of the occasion of 1823. And so it is. It is based on the "right of self-preservation" of the United States; it expresses the essential condition of the national security of that country; it constitutes one of the characteristics of its sovereignty. It is an exceptional form given by historical events to the assertion of a right which is common to all States: the right to exist. The historical development of the United States was necessarily attended with special situations which were derived from its geographic situation, the manner in which the new States of Latin America came into existence, the disquieting dangers threatening them, and the peculiarities of their political system. While these reasons may have disappeared, the original basis still subsists, namely, the self-preservation of the United States. It is for that reason that the United States maintains the Monroe Doctrine.

For that reason also its expressions vary in form and content. Two things have primarily contributed to bring about this result: one is the present development of a large number of the States of Latin America, which places them in a favorable condition for further development free from fears; the other is the opening of the Panama Canal, which lengthens the geographical line of security of the United States and establishes a zone in a certain sense necessary for its preservation where it must adopt a policy of territorial propinquity. It has just been clearly declared by the Secretary of State: "So far as the region of the Caribbean Sea is concerned, if we had no Monroe Doctrine we should have to create one." And another eminent and serene statesman, Senator Root, says that the "principle which underlies the Monroe Doctrine" is "the right of every sovereign state to protect itself by preventing a condition of affairs in which it will be too late to protect itself. Of course, each state must judge for itself when a threatened act will create such a situation."

A very dangerous ground to take, no doubt. The right of self-preservation has been the formula invoked to justify arbitrary acts throughout history. All the strength of this reasoning lies, therefore, only in the sincerity with which it is applied.

RAYMUNDO WILMART ¹

THE FUTURE OF THE MONROE DOCTRINE

The Monroe Doctrine played a part when America did not have much weight in the world and the latter was controlled by the great "European" Powers exclusively; the Doctrine said to them: "Control everything you wish, but do not control us, for we Americans are capable of controlling ourselves." Thus an international era of two worlds began in the terrestrial globe and we still have it. Economic and sociological tendencies require our having one single world in our globe; this will be accomplished by means of compacts between "the Powers" and "Monroeism." We should be very blind if ever so bold as to refuse to play our American part in the world's politics, just because our Yankee partner (not our adversary) has the leading part in the game. The international world, a unity, a new entity, is in its making at The Hague; pacifism will conquer there; Monroeism has given us a seat there; let us guard it carefully, because in time it will become a triumphal chair. "America for Americans" will lead us to "the world and its seas for mankind"; "the Powers" will accept this proposition because it is just, and the vices of the "European balance of power" will vanish in the face of the "world balance of power."

THE MONROE DOCTRINE—THE DRAGO DOCTRINE—VIEWS

I

After the fall of Napoleon I, the "Holy Alliance" conceived a reconquest of Spanish America. This was contrary to the views of Great Britain; President Monroe, taking advantage of England's support, announced that any step taken towards that end would be looked upon by the United States as an "unfriendly" act towards them. When Napoleon III, assisted by other monarchs, attempted to establish a European empire in Mexico, the United States could not, or dared not, oppose him by force, but its conduct contributed to make short-lived the dream of Napoleon the Little. The fact is that the Monroe Doctrine was victorious and Spanish America was

¹ Argentine writer. The following two extracts are from articles by Dr. Wilmart which appeared in *Revista argentina de ciencias políticas*, Buenos Aires, vol. 7 (1913-14), pp. 244, 583, respectively.

no longer considered by European Powers as territory open to conquest for the purpose of colonization.

Has the time arrived when the Monroe Doctrine is no longer necessary? No one can tell; not very long ago, the European mother country of an American colony which had been established long before the Monroe Doctrine was announced, had a boundary dispute with a Latin-American republic; the Government of the United States interposed its mediation, fearful of the weakness of the said republic, and acted as its mandatory; all Latin-America extolled this procedure, and the said metropolis agreed to deal with the matter accordingly, that is, as a powerful nation deals with a powerful nation, not as the powerful deals with the weak.

The danger of colonization in itself of America on the part of European Powers seems to have disappeared; but a war between one of the latter and a Latin-American republic is by no means impossible, and international law still admits that the consequences of a war go far beyond its cause, allowing a victorious nation whose purpose was, for instance, to avenge an offense, whether actual or supposed, or to obtain some other kind of reparation, to retain any territories which have been occupied during the war, for the reason that the *vae victis* of the Gaul still subsists, and the conqueror compels the vanquished to pay the costs, expenses, damages and injuries of the war with no judge to adjudicate or fix the same. It is an American duty to prevent in some honorable manner anything which may bring about such conquests under the guise of reparation followed by indemnification, just as Monroe opposed those prompted by a direct ambition to colonize *quia nominor leo*. We should add to the direct cause of the Monroe Doctrine, the following principle: "In America, victory does not give a right to conquest." That it may serve to check European Powers, it is the duty of each American nation to apply this worthy principle and to refrain when the case arrives; otherwise we have no right to prevent the activities of European Powers.

An additional danger existed. We Latin-Americans do not obey the wise laws of sound finance; our public officers are often prodigal sons of their country, which they love . . . more with words than acts. Intervention in a country which issued bonds in foreign countries (b, c, d, e) and did not pay, was an established practice

of international law. This carried with it a possible source of war with all the consequences referred to.

In view of a triple intervention of this nature, the Argentine Minister, Drago, wisely supported by President Roca, drafted his famous note, criticized from the beginning by those who do not believe in the progress of doctrines. The doctrine, nevertheless, succeeded, assumed a practical form and was an honor to Drago and his country.

The interventions being due to non-payment, the surest road leading indirectly to conquest by virtue of compensation, the Drago Doctrine is at present of great importance, practically greater than the Monroe Doctrine itself in its original form.

But the Monroe Doctrine is still indispensable. To believe that if a great Power should undertake (in view of an unsettled controversy)¹ to make war on Argentina with the possible consequences mentioned, our young nation could fight for herself, as our greater northern sister could, is merely an illusion; and to do this with the purpose of proudly asserting that other Latin-American nations would be in need of assistance because they are "inferior" to ours, is something hateful, contrary to the true South American sentiment. Roosevelt, in an *impromptu* answer which he was improperly compelled to make, said, with as much truth as modesty, that if the case should arise we ought to assist each other.

II

In regard to power and wealth it is immodest for us to try to place ourselves on a level with the United States, and it is hateful to humiliate sister republics which we may regard as weaker.

The two doctrines, those of Monroe and Drago, guarantee our common independence; they are bonds which bind and associate us. Both of them were, not *impromptu* doctrinaires, but real expounders of America, which spoke, as it were, through them.

Heretofore, we Americans all felt that the American nations formed a natural group bound by a compact—implicit, it is true, but implicit in the manner that we call implicit the compact which over and above the constitution itself binds together the citizens of a country. We will some day come to constitute the universal balance of power to replace the insincere European balance of power,

¹ Diplomacy formulates a "complaint," subsequently changes it into an "insult," demands "reparation," resorts to the *ultimatum* and brings about a *casus belli*.

the former being based on the law and the consent of all and each of the nations of the world, not on the fact that some Powers which endeavor to control the whole world happen to be strong; we must now begin to do something in this direction, to open the roads which lead to this end.

But in the meantime American nations belong to the American group, belong to the nations which compose this group; only thus united can we accomplish something practical for universal understanding; it would not be fair for the United States to direct its international policy to the end of creating a European-Yankee balance of power (which it would be perhaps easy for them to do), the bigger northern sister thus forsaking her smaller Latin sisters; it would not be loyal for a Latin nation (a, b or c), because the present public officers of one of them believed that she was no longer confronted with an external danger, to declare that as far as she is concerned the rest of them are as foreign to her as a Balkan State; in other words, that she is no longer American, but European. The professor, publicist or statesman who should so declare would be condemned in all other Latin-American nations.

All Americans had this feeling before, and the people still have it; but there are learned men who ignore social tendencies which are to mankind what a gulf stream is to an ocean: they "stand" alone before the mirror and are unable to dress themselves properly. We previously said that the great difference between Europe and America was the existence of monarchies there and republics here. True, there are European parliamentary monarchies in which popular sovereignty has a decisive voice in all matters and American republics in which casuistical provisions of artificial constitutions hinder their operation; but the latter will soon be changed. Still there will always exist a great difference: here in America there are countries only, nations only, above which citizens do not recognize anything; in Europe there are countries in which dynastic interests have at times a greater force than the interests of the people; we have just witnessed sad examples of that. The world concert, universal peace, presuppose the effective popular sovereignty of all nations; we Americans are in need of that universal peace and have a right to obtain little by little the establishment of a world concert in which every American nation will have the right to be heard and to vote.

The best means at our disposal to accomplish this is the union of American nations, by virtue of those two doctrines.

II *bis*.

It would not be rational for country A, through its officers or publicists, to oppose that union because country B might have committed an unjust act.

In philanthropic societies, for instance, which one of its members is perfect and was never guilty of a selfish act in his private life? It is at present difficult for the individual not to be selfish occasionally. But this is not a sufficient reason to warrant one of the members to take the floor in the assembly of said philanthropic society to attack the individual acts of another, because the latter will reciprocate, and afterwards a third, a fourth, etc. will increase the tumult; if the philanthropic society has done a beneficial work, let us preserve it and work for it, instead of disrupting it because one of its members has been selfish in some act.

Similarly, the union of American nations is beneficial for America and for the world; we should foster it and not "let it go to the devil," because nation D has a cause of complaint against nation E, etc., etc. It is not easy for the individual in our days to be always just and it is not easy in our days for a nation to be always just; the reign of justice is not as yet complete and we will not witness its completion; but let us not abandon a common beneficial enterprise because so far as our own isolated acts are concerned we have at times incurred opposition. The union of all American nations would precisely contribute to prevent those injustices among nations.

III

Within many a nation citizens have revolted against dictators and have demanded a legitimate participation in the direction of national affairs.

The international community is often directed *velis nolis* by the so-called "European concert"; the time has come for the smaller nations to demand a legitimate share in the direction of international affairs, which today affect the destiny of all. Latin-American nations especially may demand voice and vote in every question which directly or indirectly affects the peace of the world; their demand will be heeded in Europe.

The subjects of many States have democratized the latter. The small nations should democratize the international community. Pan-Americanism has a beautiful task to perform.

ESTANISLAO S. ZEBALLOS ¹THEODORE ROOSEVELT AND THE AMERICAN INTERNATIONAL POLICY ²

Now, gentlemen, I am going to study him [Theodore Roosevelt] as an internationalist.

No man has been more discussed in the world, no man has been more favorably interpreted, no man has been more unjustly criticized, than ex-President Roosevelt in international matters.

Fortunately, we have a subject all our own by which to judge his conduct, a subject which belongs, moreover, to all Americans, although from today on it will have a special interest for the Argentine Republic: I refer to the famous Monroe Doctrine.

In 1819 Spain wished to reestablish her empire in America, and prepared at Cadiz an expedition of 20,000 men which Pueyrredón defeated by diplomatic measures directed by don Andrés de Arguibel, whose heroic act this city has rewarded by giving his name to a distant street. But in case Spain failed in this expedition, the Powers which composed the Holy Alliance and which held the Congress of Verona in 1822 had resolved to restore the authority of Spain over the emancipated colonies because Russia, who was interested in North America, regarded the conflagration as a menace to the world.

The United States, following in the steps of General Miranda, had sought from England the recognition of the independence of the colonies and had failed. There is the Canning legend. I say legend and I maintain that it is such. There is in Buenos Aires a Canning Avenue, an injustice.

The English had their conflicts with Russia in America and in Europe and they followed the policy which a nation should always follow: the policy which suits it and not the one which suits others. Consequently, they adopted a vague and undecided attitude towards the efforts of the United States. Canning declared that he agreed with the United States in not permitting European nations to intervene in the struggle between Spain and the colonies, but that England was ready to support Spain if Spain had the necessary force to regain her colonies. Canning was therefore our enemy, as much

¹ Publicist and professor; former Minister of Foreign Affairs of Argentine Republic.

² Extract from Dr. Zeballos' address entitled *Theodore Roosevelt y la Política internacional americana*, delivered at the University of Buenos Aires November 10, 1913, upon the occasion of the conferring by the University of an honorary degree upon ex-President Roosevelt; *Revista de derecho, historia y letras*, vol. 46, pp. 558-69.

as Spain or any other Power. And he did not recognize the independence of the colonies until 1825, when Spain declared her inability to reconquer them.

It is an error to prevent the independence of those colonies, said the Duke of Wellington. The conflagration in America is like a plague, but it is locally and not universally contagious. The Duke of Wellington had great vision: the liberty of the American colonies carried with it the prosperity of English commerce.

It was then, when the Congress of Verona ordered the mobilization of an army of 60,000 men with command entrusted to France to invade America and reestablish the power of Spain, that President Monroe issued that glorious message, which all free Americans of today should bless: the United States consider as a hostile act the presence of an European army to threaten the independence of the emancipated colonies.

This, gentlemen, was not a doctrine. I correct the word; this was an "attitude," as that of the crusader who unsheathing his sword stopped at the bridge and exclaimed: you shall not pass! And the Holy Alliance did not pass and we became free!

Canning Avenue, Mr. Mayor, should be named Monroe Avenue.

Monroe's "attitude" has three aspects,—in relation to the United States, in relation to Europe, and in relation to the other American republics.

As to the United States, it obliges it to maintain a military power sufficient to enforce its word in case a European Power should not heed its protest against establishing itself in American territory. Hence President Roosevelt's address on April 2, 1903, at Chicago, and his message of the same year to Congress, the gist of them being: if you would not have the Monroe Doctrine become a mere bluster . . . it is necessary to have a fleet and an army to make the United States respected so that no one will dare violate the Monroe Doctrine, because force alone can prevent war!

But, gentlemen, the President of the United States must consider the Monroe Doctrine from a point of view absolutely different from that which is possible to Americans in general, to those from other lands, and to all scholars. Because the Monroe Doctrine, that is to say President Monroe's "attitude," is not a principle of international law, is not a philosophic conception, but a *political action*, and every political action is dependent upon the spirit which creates, develops and sustains it; and this spirit, the United States,

must be inspired by a series of grave problems unknown in these regions.

Now I come to the very test of the Monroe Doctrine in the other hemisphere, that is, in relation to the interests of the United States. I refer to Panama.

Panama is the crown of thorns of ex-President Roosevelt in America, but it is also the masterpiece of his two administrations. He has been described as imperialistic and aggressive towards our dear and weak brothers of Colombia.

Still, gentlemen, if I had had the honor of being the President of the United States or its minister of foreign affairs, I could not have refused to share in the responsibilities of that policy, at a time when the security and independence of the nation were at stake! The President could not permit the Isthmus of Panama to fall into the hands of a European sovereignty wishing to construct the canal, inasmuch as the Isthmus of Panama divides American sovereignty in half. Sir Walter Raleigh called it the key to the world, and to lose it meant military disaster to Americans, because the fleet and defenses of the Pacific could not without it cooperate with the fleet and the defenses of the Atlantic. And much the same as England risked all and put aside her conservative and commercial spirit to acquire the Strait of Gibraltar or the Suez Canal, must Colonel Roosevelt have risked his reputation and even the peace of his country to retain the key of Panama, and he secured it for his country!

But does this, gentlemen, affect in any way the dignity and independence of the other republics? Do the problems of Panama and Mexico, developing in the immediate boundaries of the United States in an isthmus which stands like a bone imbedded in the throat of that great country, have anything in common with the problems of the Rio de la Plata, of the wilderness of Brazil, or of the coast of Chile?

The Monroe Doctrine is still necessary in the United States and its surroundings—and I am going to express myself in terms forbidden to ex-President Roosevelt, due to his responsibility for the policy of his country and the fact that he will soon be a candidate for President of the Republic—because the United States is surrounded by smaller countries, some of them inorganic, in constant conflicts with Europe, which provoke frequent military interventions. The Caribbean Sea washes the richest coasts of the United

States and ought to be controlled by them to secure their independence and safety. When this ever-impending danger of European intervention exists, like the recent one in Venezuela, the United States has said to the Powers through the Monroe Doctrine: intervene if you will to settle your disputes, availing yourselves of such means as are prescribed by international law, but do not expect to acquire territory because you would have to contend with the United States. The Powers have been moderate and consequently resort has been had to arbitration; but there were no conquests and new colonies were not established in America!

But those countries are not in this part of America, and we will here examine Monroe's "attitude" as regards the South American republics amid which we live!

Monroe's "attitude" originated ninety-one years ago, when South America was inorganic, when her countries, including ours, were little republics politically negligible, liable to have their flags and interests trampled upon by the frequent presence of foreign battle-ships.

Monroe's "attitude" was then an outpost for the safety of all, as it is today for disorganized nations which do not yet merit the respect of the world, nor have power to impose it. At that time the Monroe Doctrine defended and protected all. Blessed be the Monroe Doctrine!

But I have read a very interesting theory concerning American races, according to which to the extent that a man descends from the Equator towards the South so he becomes more of a barbarian. And in fact, after the famous civilization of the Muyscas in Colombia, the magnificent Peru-Bolivian civilizations, and our splendid civilizations of the Calchaquian valleys, come the barbarian Pampas, the even more barbarian Patagonians, and the Fuegians who look to me like the quarternary man!

Similarly, gentlemen, does Monroe's "attitude" degenerate and lose its character as it descends from the north towards the south. The value it has in Mexico, it lacks in the Plata. The Argentine Republic will not be protected by Monroe's "attitude" because she has completed her evolution in civilization and is now a respected country and knows how to merit the respect of the world!

The Argentine Republic, ex-President Roosevelt, has merited the respect of the world through her institutions, the sincerity of her hospitality, her generous public sentiment, and the loyal, open,

and sincere way in which she has made effective her constitutional guaranties which are extended to all men from all over the world who come to populate her territory! That sincerity has secured for us the faith and sympathy of the world; and the very Powers composing the Holy Alliance in 1822 confirmed our independence in 1910 by sending us a great number of royal dignitaries and high delegates from other sovereign families to honor us in the celebration of our Centenary. We are, therefore, an organic nation; we are a responsible nation in the eyes of civilization. We do not fear aggressions against our territory, either from Europe or from America, and there is not the slightest danger of our sovereign integrity being threatened by any nation whatsoever! Monroe's "attitude" is not, then, applicable to our country!

I realize that this is a very advanced declaration which is made for the first time in America and which will be heard all over the world, but I affirm it on my authority as dean of the faculty of private international law of the universities of Argentina, on my authority as a member, twice elected, of the Institute of International Law of Europe and a member of the second commission of that Institute recently named to report on "protectorates, territorial occupations and zones of influence of the Powers of the world"; and on this authority, I declare that the Argentine Republic thanks the United States for the protection afforded to her by Monroe's "attitude," which in times past we found necessary, and which is no longer necessary now that our civilization has been attained!

But Monroe's attitude, gentlemen, as I can now say more boldly because I speak in the name of a sovereign nation, equal to all others, does not possess a character humiliating to South Americans as it has frequently been presented to the world. Monroe's "attitude" has been expressed more clearly by Roosevelt than by Monroe himself.

President Roosevelt, aware of the charges made against him relative to the question of Panama, has made this solemn declaration, which I am about to quote from his message of 1903. The nature of this academic act does not allow me to read the text word for word; but I will publish my address with citations in support of each one of my declarations. He has declared, in the first place, that the Monroe Doctrine does not threaten the territorial sovereignty of any of the smaller States of the New World; in the second place, that the United States will not attempt to obtain territory from

said smaller States (I have already shown that Panama is an exceptional case), and in the third place, that the United States does not seek to impose its commercial exclusivism on those republics and ban European commerce, but leaves them at liberty to trade as their institutions and interests require. Within these three declarations the Monroe Doctrine is beneficial and not offensive to any American country.

Nor is the Monroe Doctrine an act of aggression and hostility in respect to Europe. It is simply tantamount to saying to them: South America is not Africa, nor is it Asia; do not come in quest of negroes to enslave and put to work . . . We have here civilized and civilizing nations also! "We want the friendship of mankind," ex-President Roosevelt has said. But we also want to be respected as Americans! We do not threaten any European Power. And when any European Power may have a dispute about payment of a debt or of any other character with a smaller republic, which does not honestly meet its obligations, let that Power collect her debts and settle her differences as in any other case in international law, but not establish colonies in America. Such is Roosevelt's "attitude"!

THE POLICY OF MADISON, THE DECLARATION OF MONROE, AND THE INTERESTS OF AMERICA AND EUROPE¹

V. In reality the declaration of President Monroe in no way constitutes a juridical doctrine, because it does not set forth a combination of rules and instructions that forms a scientific whole or an abstract and permanent political system. In our opinion it is an error to apply the definition *doctrine* to the decisions of President Monroe: such a definition does not strictly apply to the English text of these decisions. The particularity that the declaration of Monroe was neither permanent nor scientific but merely contingent is evident from the fact that the attitude of the President of the United States was caused by and based upon the ardent defense of *independence* and of the *form of government* of the United States and other American nations. This attitude may be compared with the then prevailing political movement in Europe and with the intentions of the Holy Alliance. Thus it results beyond dispute that the

¹ Extract from article published in the *Revue générale de droit international public* under the title *La Politique de Madison, la Déclaration de Monroe et les Intérêts de l'Amérique et de l'Europe*, by E. S. Zeballos. See vol. XXI (1914), pp. 297, 303-38.

position of President Monroe was an attitude of circumstance. But when the independence of the New World was strengthened by the definite refusal of the European Powers either to support Spain in the reconquest of her old possessions or to destroy the new republican *régime*, the declaration of Monroe lost its *raison d'être* and there no longer remained any need to uphold it.

It may also be noted that in the message of 1824, confirmative of that of 1823, the President declared that a question of great importance for the United States was the *preservation of the representative form of government* adopted by the new republics, which form must not disappear under the political system of the Powers of the Holy Alliance. It may therefore be deducted that Monroe was still, as ever, dominated by the double purpose of maintaining both the independence of the colonies of the New World and the political form or system, analogous to that of the United States, adopted by them. Such purposes are easily explainable in an American president of that epoch when political idealism guided the destinies of a country influenced by the ideals of Washington and the great patriots, founders of the nation and creators of a new system of free, national and local government.

Monroe simply outlined the political attitude he wished to maintain with regard to international events.¹ He confined himself to the interpretation of the temporary advantages that the American nation might derive from its relations with other Powers; but he did not proclaim a principle of international law, which for that matter would have lacked an absolute character since it was not generally accepted. Originally his declaration was in no way doctrinal. In fact, although the United States then proclaimed non-intervention in the affairs of European Powers as a rule of conduct, it implicitly declared that it would intervene in the relations of these Powers with the countries of the New World, in case the independence or the form of government of the latter was placed in jeopardy. It results that the right of intervention was partially reserved and submitted to the exigencies of American international or continental policy.

We consider that under these conditions the definition "declaration" should be adopted to define the attitude of Monroe. Such a definition would seem more in conformity with its precedents and its

¹ "They were but declarations—nothing more."—*The Works of John C. Calhoun* (New York, 1854), vol. iv, p. 463.

origin. But in recalling the attitude of President Madison and the support given him by the American Congress in 1811, we would qualify the declaration of Monroe as "political" since it possessed at the same time all the official characteristics of a national and of an international rule of conduct.

VI. In the course of various discussions in the American Congress since 1824, the declaration of Monroe has been interpreted by eminent men belonging both to the republican and to the democratic parties. The different interpretations given to it confirm our opinion that the necessity of protecting independence and of defending the form of government of the weaker republics was the cause which inspired the declaration. . . .

XVII. The policy of Monroe was inaugurated ninety-two years ago at a time when South America was still unorganized and when her countries were but miniature republics or "gaucho-political empires" exposed to the danger of having their flags dishonored and their interests compromised by the frequent appearance of foreign warships. The Monroe policy then constituted a safeguard for all American States. But now there are not only weak republics in South America, there are also perfectly constituted States such as Argentina, Chile, Brazil, Uruguay, Peru and Paraguay. Does the Monroe policy apply to the American States having necessary and sufficient forces to impose respect from the world or only to the weak and disorganized nations which can not count upon such respect?

There exists a very interesting theory regarding the human race according to which as man descends from the equator southward he becomes more and more barbarous. And indeed after the famous civilization of the *Muisca*s in Colombia and the marvelous civilizations of Peru and Bolivia and of the valleys of the Calchaqui, come the wild pampas, the even wilder Patagonians and the Fuegians, who represent man of the quaternary period. Correspondingly the Monroe policy, as it descends from north to south, degenerates and ends by becoming pointless. The considerations making it useful in the Gulf of Mexico cause it to lose value in the country of the Plata.¹ The Argentine Republic, for example, would not be protected by the Monroe declaration, for it has terminated its evolution from the point of view of civilization: it has become a respected country and has rendered itself worthy of the esteem of the world. The Argentine

¹ Compare Webster's address of April 14, 1826, on the Mission to Panama, *The Works of Daniel Webster* (Boston, 1851), vol. III, p. 204. See *Theodore Roosevelt y la política internacional americana*, in *Revista de derecho, historia y letras*, Buenos Aires, vol. XLVI, p. 545.

Republic has won this esteem by the benevolence of its institutions, by its genuine hospitality, by generous public spirit and by the fair, frank and sincere manner it has granted the guaranties of its constitution to the men of the earth who come to dwell within its territory. This loyalty has gained for Argentina the confidence and sympathy of the world; and the Powers of the Holy Alliance of 1822 themselves confirmed its independence in 1910 when they sent a large delegation of royal and noble representatives to render it homage on the occasion of the celebration of its centennial. The Argentine Republic is therefore an organized nation, a nation responsible to civilization. It does not fear any aggression against its territory on the part of Europe or of America or of any other "non-American" Power, and there is not the slightest danger that the integrity of its sovereignty will be menaced by any nation. Consequently the Monroe policy could not be applicable to the Argentine Republic. Neither does it apply to the other States of the Río de la Plata and of the High Central Plain.

XVIII. These opinions were first privately expressed to President Roosevelt, then, with his consent, to an assembly of distinguished Argentinians in the discourse addressed to him by the author of this article in the name of the University of Buenos Aires when Mr. Roosevelt was admitted to the rank of its members. Public opinion in Argentina favored these opinions and we shall see further on that adhesion was just as unanimous on the part of the other more important American nations.

Under these circumstances we stated to Mr. Roosevelt that the Argentine Republic¹ has been willing to support the Monroe policy in times past when it was necessary, but this policy is no longer necessary as Argentine civilization has reached its full development.² . . .

XXV. The above study shows that the Monroe declaration is no longer generally effective in the New World and preserves its efficiency only in the neighborhood of the United States, that is, in those republics bathed by the waters of the Gulf of Mexico, the Caribbean Sea and on the Pacific coast north of Colombia. This localization of the American policy need no longer be covered by the Monroe declaration. The latter can definitely fall into disuse and become merely the remembrance of a past fact the causes of which have disappeared, without in any way compromising the interests of the United States.

¹ This idea is susceptible of being extended and applied to all the American republics.

² *Revista de derecho, historia y letras*, vol. XLVI, p. 568.

In its neighborhood the latter certainly has the right to take all the precautions necessary for its security and independence. Within this area it is protected by the rules of international law admitted by Europe, and according to which the division of the world into zones of influence or protection is considered an accepted fact. The Institute of International Law appointed a commission to determine these zones of influence and protection; the circumstance that this commission has tacitly postponed the settlement of the question shows the importance of the matter and the impossibility of formulating definite rules of a general and permanent character. It is a political question, which may be solved only with regard to the elements relative to each particular case. It is thus the great Powers have proceeded with reference to their rivalries in the Orient.

The United States has the right to exercise its influence within certain American zones affecting its interests in a more or less immediate manner. Its attitude with regard to the Powers of Europe and the Far East should be defined according to the special circumstances of each case, and it would thus no longer be exposed to the dangers resulting from a permanent rule like the Monroe declaration. As we have remarked, this declaration has been misunderstood or eluded in numerous cases. American diplomacy has presented no unity of viewpoint in this respect. Taking into consideration the precarious relations of the United States with Japan, the care and interest it has taken to maintain exclusive sovereignty over the Panama Canal, and finally the supremacy of its influence over the commerce of the neighboring islands and seas, it is evident it must be able to act diplomatically and militarily according to the rules of its own policy in each case that presents itself, in the same way that other Powers do. In these cases the world and America will judge of its attitude. . . .

XXVII. The South American tours of such statesmen as Roosevelt, Root and Bacon were for them a real revelation. The veil which covered their eyes has fallen and in their turn they are trying to draw away the veil that blinds the United States and which also appears to interfere with the sight of President Wilson. These statesmen are able to affirm that there is an individual and independent life in South America that needs no champion in its development. No doubt they will exert their influence in the United States for the abandonment of the policies of protectionism and hegemony, and thus bring the relations of their country with the republics of

the American continent within the ordinary terms of international law. These relations should be maintained under the same conditions as those observed in Europe. Such is the opinion of Roosevelt. From the commercial point of view, the republics will never consent to make war on European capital in favor of American capital. To both it opens a vast field for effort and frank and loyal competition. The political problems that may present themselves and the international conflicts in danger of outbreak may be settled, as they should be, according to the circumstances of the case; and the United States will draw confidence and develop commerce more by means of this policy than through a policy of protectionism approaching paternal authority or by the offer of capital.

XXVIII. On the other hand it is just to recognize that the United States has not always acted on its own initiative when it undertook protectorates humiliating to American sovereignties. Certain among them such as the Dominican Republic and the Republics of Nicaragua and Honduras called for American intervention in their finances and consequently in their politics; and the United States, guided by the interests of its citizens and of its commerce, replied favorably to the requests addressed to it. To illustrate these remarks it is sufficient to cite the treaty of January 10, 1911, concluded between the United States and the Republic of Honduras at the request of the latter: this treaty indicates that the Government of Honduras made known its ardent desire to have the United States give its cooperation in the consolidation of its debt and the placing of its finances on a stable and solid basis. The Government of Honduras promised to negotiate and to uphold a contract of consolidation of its present internal and external debt. The Government of the United States and that of the Republic of Honduras have observed all the clauses of this contract. It was decided that they would consult together with regard to what was to be done in case difficulties arose with regard to the loyal execution of the provisions of the treaty. The loan realized by the Government of Honduras was to be submitted to the approval of the Government of the United States. The treaty contains still further clauses tending to place the Government of Honduras upon a footing of real financial dependence,¹ as was the case with Nicaragua² and Santo Domingo,³ since, in the end, the new loans are contracted in the United States.

But these facts can not be called a generality. They are isolated and independent acts which should be judged according to the special circumstances of each independent case. It is evident that in the measure that the American republics perfect their institutions and the serious character of their governments, American interventions will become more and more rare and end by disappearing completely.

fiscal agent of the loan to the Department of State of the United States and to the minister of finance of the Government of Honduras at the expiration of each twelve months, and at such other times as may be requested by either of the two governments.—Art. 4. The Government of Honduras, so long as the loan exists, will appoint from a list of names to be presented to it by the fiscal agent of the loan and approved by the President of the United States of America, a collector general of customs, who shall administer the customs in accordance with the contract securing said loan and will give this official full protection in the exercise of his functions. The Government of the United States will in turn afford such protection as it may find requisite." See the text of this treaty of January 10, 1911, in this *Revue*, vol. XIX (1912), p. 129, note 1. See also Scelle, in this *Revue*, vol. XIX (1912), pp. 126 *et seq.*

² In this treaty with Nicaragua of June 6, 1911, as was the case in that concluded with Honduras, the controlled government abandoned its sovereignty in the matter of tariffs and in reality submitted to the American government the solution of its difficulties. The treaty with Nicaragua contained clauses similar to those of the treaty of the same year with Honduras which we have given above in full. See the text of the treaty with Nicaragua, in this *Revue*, vol. XIX (1912), p. 130, note 1. See also Scelle in this *Revue*, vol. XIX (1912), pp. 126 *et seq.*

³ Treaty of February 8, 1907, between the United States and the Dominican Republic. On this subject see Rosa, *Les finances de Saint Domingue et le contrôle américain*, in this *Revue*, vol. XVIII (1911), and vol. XIX (1912).

2. THE UNITED STATES OF AMERICA

JOHN BARRETT¹

I believe the time is coming when there may be evolved from the Monroe Doctrine itself as a principle and phrase, and thereupon substituted for the Monroe Doctrine as a principle and phrase, the principle and phrase of a "Pan-American policy." (These ideas, to some extent, I developed last fall at a meeting in Washington of the Society for Judicial Settlement of International Questions. What I am saying here is really a sublimated form of what I said at that time.) By that I mean a Pan-American policy acceptable to and approved by not only the United States, but all the American republics, a policy belonging to each and all on the same basis of attitude and action, protecting alike the sovereignty and governments of each—which is, after all, the delicate point—without the offensive suggestion of preponderance, dictation or domination of one nation like the United States. It is a common error among some of the statesmen and essayists of the United States, whenever they speak or write anything about the southern republics, to patronize them. This is a fatal error—always thus reminding them of the power and mightiness of the United States, as if the United States were both "papa" and "mamma," and they a group of little children playing in the back yard. Coupled with this are the equally common errors: First, that of not recognizing the extraordinary greatness and progress of some of the republics, even if others are not so progressive; and secondly, of classing them all as having revolutionary tendencies, in spite of the fact that two-thirds of Latin-America, in area and population, has known no serious revolution whatever in the last twenty-five years.

This Pan-American policy would adopt, absorb and enlarge the Monroe Doctrine as an original policy of the United States into a greater and all-American policy, where each nation would have the same rights of attitude, the same dignity of position and the same sense of independence as the United States now has. By eliminating

¹ Formerly Minister of the United States to Argentina, Panama, and Colombia. Director of the Pan-American Union 1907-1920. The following extract is taken from Mr. Barrett's remarks delivered as presiding officer of the session of the American Academy of Political and Social Science of April, 1914, under the title *A Pan-American Policy: The Monroe Doctrine Modernized*. See *The Annals of the Society*, vol. LIV (July, 1914), p. 2.

the attitude of absolute dictation and centralized power, which the Monroe Doctrine has been interpreted in Latin America as applying to the relations of the nations of the western hemisphere, by the substitution of "Pan-American" for "Monroe"—thus including all the American nations as sponsors—and by the substitution of "policy" for "doctrine" and thus removing the hard, unyielding, dictatorial and didactic suggestion of the words "Monroe Doctrine," about which every Latin American is a little sensitive, a long step will be taken towards a new era of Pan-American comity and Pan-American confidence.

It is not the Monroe Doctrine itself as a principle, but the *interpretation*—and mark my word—the *interpretation thereof*, as indicated in the recently published opinions of many prominent Latin Americans on this subject, that is not acceptable to the majority of Latin American countries and statesmen. This is a point that has been clearly overlooked by the critics of the Monroe Doctrine in the United States. If its haphazard interpretation can be supplanted with responsible and reasonable judgment, the majority of arguments against the doctrine in Latin America, and also in the United States, in describing it as obsolete will fail absolutely in their purpose and logic. . . .

In conclusion, the Monroe Doctrine in its final analysis, in my opinion, and, as I say, I do not for a minute state these things in a didactic way and my judgment may be entirely wrong, will continue to be a great *international* principle only to the degree that it is evolved into this greater Pan-American policy; and from a Doctrine of the United States alone into a policy of all the American republics, and now, if you follow me, though it is a little complicated, to the degree that it is evolved from being *subjective* on the part of the United States alone towards all the other American republics as *objective*, to being *subjective* on the part of each towards each and all the others as *objective*. That is, making each and every American republic feel that it is part of its policy towards each and every other American republic, instead of being just the policy of the United States alone towards all these other countries. To be still clearer in my idea I would say that I mean to evolve the Monroe Doctrine from being *subjective* on the part of the United States towards the other American republics in an *objective* position, to being *subjective* on the part of each and all towards in turn each and all as *objective*.

Then we will have achieved, in my opinion, that ideal, unselfish,

fraternal relationship of the American governments and peoples which will give a new worth and a permanent, acceptable significance to Pan-American relationship, Pan-American accord, and the status of the Pan-American Union.

GEORGE H. BLAKESLEE¹

During the past year there has been an epidemic of discussion regarding the Monroe Doctrine. This has been due probably to the dawning consciousness in the minds of the people of this country that there exist strong, stable nations in South America, which no longer need the protection of this traditional foreign policy, and which keenly resent its supposed spirit of guardianship. The problem whether it should be continued unchanged, or be modified or abandoned, has been a live issue in our newspapers and periodicals; it has been debated in schools, colleges and universities in all parts of the United States; it has frequently, at least in New England, been the topic at economic clubs; and, finally, it has been studied from nearly every aspect at three recent conferences of those especially interested in our foreign relations.

Yet there exists a certain feeling that this questioning of the infallibility of the Monroe Doctrine is merely a temporary fad, that it represents nothing substantial, and that it will soon be past, leaving the traditional American policy unchanged and unshaken. This view was expressed only the other day by the Honorable Champ Clark, who said, "Every now and then somebody rises up and solemnly informs us that the Monroe Doctrine is dead. I answer such people as those in the words of Grover Cleveland . . . Cleveland said, 'We are sovereign on this continent.'" Mr. Clark added in a tone of absolute finality, "And we are." This idea that the Monroe Doctrine has still an unshakable hold on the American people is shown further by the recent words of a British essayist. "To the Americans," he says, "the Monroe Doctrine is like God or religion to a small child—something fearful, something to inspire awe, something, if necessary, to fight for." Is the keen British essayist correct? Is

¹ Professor of History and International Relations, Clark University. This address, entitled *Should the Monroe Doctrine continue to be a Policy of the United States*, was given before the American Society of International Law in 1914. *Proceedings*, 1914, p. 217.

the Monroe Doctrine, after all, like God to the American people? Are we still content to accept as a matter of faith, without a question or a doubt, the inspiring and all-sufficient creed, "We are sovereign on this continent?"

In order to answer such queries as these it seemed very desirable to secure some definite evidence regarding the general attitude of thoughtful men in this country towards the Monroe Doctrine. But how might this attitude be discovered? Whose opinions should be asked? It was finally decided to obtain, first of all, if possible, the judgment of the lecturers on international law and American diplomacy in our colleges and universities, since these form almost the only body of men, all of whom as a class have given this subject professional study and whose opinions at the same time are almost entirely uninfluenced by political or party considerations. The writer therefore took the liberty of sending to each of these a set of questions. None were sent to any out of this class in order that no possible suspicion of personal bias in making the selection might affect the result of the canvass.

The questionnaire read:

I. Should the Monroe Doctrine, as now generally understood and interpreted in the United States and in Latin America, be continued without either modification or further definition?

II. Does it need clearer interpretation?

- (a) For the people of the United States?
- (b) For the people of Latin America?

III. Should the stable Latin American States (at present Argentina, Brazil and Chile) be regarded by the United States as supporters of the Monroe Doctrine?

(a) Should this support be limited to the defense of their own lands from European conquest; or

(b) Should they be invited to cooperate with the United States in interpreting and enforcing the Monroe Doctrine wherever it may apply on this hemisphere?

IV. Should it be abandoned?

- (a) Entirely?
- (b) Below the Equator? or
- (c) Only so far as concerns the stable Latin American States (Argentina, Brazil and Chile)?

V. Other views, comments and reasons, if any.

One hundred and forty-six replied, representing nearly all of our leading colleges and universities, and including seemingly the larger number of those best known as leaders in this field.

A study of these returns shows that certain general conclusions are agreed upon by a very large majority. These are: First, the present status of the Monroe Doctrine is unsatisfactory; of the total number who voted, only thirteen believe that it should be continued substantially as it now exists, that is, with its meaning somewhat indefinite and its interpretation and enforcement dependent upon this country alone. Second, it should nevertheless not be abandoned; only nine wish to give up the policy entirely. Third, it should be more clearly explained and decidedly modified in certain respects. The form of modification favored by a notably large majority is one which will recognize in some way the importance of at least such sister American republics as Argentina, Brazil, Chile and possibly Peru. It is held, five to one (104 to 20), that the United States should share with these stable republics the responsibility of enforcing the doctrine by adopting one of the three following policies, (1) complete cooperation with them, or (2) abandonment of the policy south of the Equator, or (3) abandonment so far as the stable states themselves are concerned. It is complete cooperation with them, however, which is generally favored; the large majority, eighty-five against thirty, believe that the stable Latin American states should be invited to cooperate with the United States in both interpreting and enforcing the Monroe Doctrine wherever it may apply on this hemisphere. This strong sentiment in favor of cooperation in its widest possible extent is the more surprising and the more significant in view of the fact that the doctrine has always been regarded as a policy to be interpreted and enforced by the United States alone.

These then are the views of a body of Americans who have made this subject a special study: the Monroe Doctrine should not be abandoned, but it should be more clearly explained, and it should be modified so as to rest upon a basis formed by the cooperation of all stable American republics.

In addition to this general summary, it will be valuable to consider the several propositions more in detail. First in importance is the question whether the Monroe Doctrine should be continued or abandoned. Typical comments from those who would renounce it entirely are as follows: "Not needed by United States; not desired by Latin America;" "The basis of the doctrine is gone, for we are in a world

age and not a hemisphere age;" and "It is costly and dangerous; likely to embroil us in war; makes South America suspicious of our territorial cupidity and unfriendly. . . . It implies an insult to a spirited people who do not ask for it or acknowledge it." Others would abandon the name, but retain the principle. "The words 'Monroe Doctrine' and 'Monroeism,' " one writes, "have come to have such a disagreeable connotation among our neighbors that our policy towards Latin America ought to receive some other name."

Those who believe that the doctrine should be continued rest their contention, for the most part, so far as they have expressed their reasons, upon the belief that there is still danger of European or Asiatic acquisition of territory in this hemisphere. Some of the comments are: "No; it should not be abandoned, for the weaker states of South America would be seized and colonized by foreign Powers before half a decade;" "We should maintain the doctrine as it is, or strengthened, for another one hundred years, or until the danger of European invasion is past;" and "The greater danger after all lies rather in the possibility of a sale to some great Power by some South or Central American state. Therein lies the strongest argument for maintaining the general position of the doctrine." A particularly forceful statement of this view comes from a former diplomat, who says:

As one formerly engaged in the application of the Monroe Doctrine . . . I am tremendously concerned over the present tendency to discredit the doctrine as entirely useless. We are practically inviting trouble with Europe by such an attitude. We do not want another African scramble. . . . There are European nations which are allowing big indebtedness on the part of certain rich states of Spanish America to grow up, in order to have a greater reason for intervention when the opportune moment should arise. It would seem criminal for us to scuttle out at this time.

On this question, whether or not the Monroe Doctrine should be given up entirely, nine favor abandonment; 123 oppose it.

But if it is not to be abandoned, it should, it is believed, be more definitely explained. That a clearer interpretation is needed for the people of Latin America, is asserted by 107, only twenty dissenting; while an only slightly smaller majority (94 against 32) maintain that it is needed also for the people of the United States. "No one knows what it means," writes one. "The history of its applications," replies another, "would seem to indicate that it means what the existing administration would like to have it mean." Still another says, "it

means anything and everything. It is a cry to stampede the people when there need be no real alarm. We are even trying to believe with Champ Clark that to repeal the Panama Canal toll bill is to abandon the Monroe Doctrine." For Latin America it is held that the doctrine should be interpreted in such a way as to exclude from it all idea of territorial covetousness and, if possible, all claim of political sovereignty and tutelage. This view is shown by the following comments: "It should be made clear that the Monroe Doctrine is no part of any policy of political aggrandizement by the United States;" "It should be further defined so as to make it apparent that the United States has no desire to interfere in Spanish-American affairs;" and "The Latin Americans consider it an unnecessary and at present indefinable assumption of superiority and of guardianship on the part of the United States."

One suggestion as to the modification of the Monroe Doctrine, urged by many, is that we should return to the simple, strictly defensive policy of President Monroe. The following replies explain this position: "Very important to rid the doctrine of some of the modern interpretations;" "There is grave danger of our being dragged into a policy of imperialism if we retain it as it is;" "We ought to return to the original construction. . . . To assume the position taken by recent Presidents of a kind of guardianship over all South America, including Mexico and Central America, seems to be a piece of arrogance, and is productive of infinite future trouble;" and, "The original Monroe Doctrine was clearly justified. . . . The Polk-Frelinghuysen-Olney-Cleveland-Roosevelt-Lodge version of it is a constant source of irritation to the South American republics and is a menace to the peace of the world. . . . It is antiquated, worn out, and in its present form ought to be abandoned." How widely this view is held it is impossible to say, since no definite question was asked regarding it which would bring out a general expression of opinion.

Another suggestion as to the modification of the doctrine is that the United States should abandon it either south of the region marked in general by the Equator or the Orinoco, or else so far as the stable South American republics are concerned. Of those who hold this view some favor absolute and unqualified abandonment, as is shown in the following statement: "What transpires in Argentina is of no more concern to us than what happens in Africa." Others oppose absolute abandonment, but would give over the enforcement of the

policy in lower South America to the stable republics and would remove from it, so far as this region is concerned, all idea of sovereignty, protection and guardianship. This is shown in the following replies: "Yes, it should be abandoned in so far as it implies a protectorate over them;" "Not abandoned, but suspended as long as the policy and conduct of these states show them to be supporters of the doctrine;" and "The Monroe Doctrine should be abandoned with reference to Brazil, Argentina, and Chile, save to protect them from European conquest." The summary of opinions shows that nine would abandon the doctrine south of the Equator, while twenty-seven would abandon it in Argentina, Brazil and Chile; thus making thirty-six who favor giving up the policy for part of South America.

Whether or not the doctrine is thus abandoned locally, a very strong sentiment is shown that in any case a sharp distinction should be made by our government, in its application of the Monroe Doctrine, between the Panama Canal region, on the one hand (Mexico, Central America, the West Indies, Venezuela and Colombia), and, on the other, the region of the stable republics of South America. This view is shown by such quotations as these: "Over the Caribbean states, Mexico to Venezuela, our position should be that of a protecting Power, with treaty rights wherever possible, to support stable governments;" "The doctrine should be extended and made more positive for the Caribbean countries;" and "As to territory between the Rio Grande and the Panama Canal the United States must act alone and be practically paramount." Somewhat more than forty of those who answered the questionnaire went out of their way to express their opinion in one form or another that there should be a marked difference, in the application of our policies, between these two sections.

The modification of the Monroe Doctrine which appeals most strongly to the body of men whose opinions we are discussing, is, as has been said, some form of cooperation. There are those who oppose cooperation, however, on the ground that, "We are sovereign on this hemisphere," and should play the part. Others oppose it from the fear that it would lead to a hard and fast alliance in which the United States might be out-voted on questions of vital concern, especially in the Panama region. As one of these critics writes, "If such a policy were adopted the Latin Powers would dominate the affairs of the new world."

Representative opinions of those favoring cooperation are as fol-

lows: "The Monroe Doctrine should take in all America and all America both North and South, should unite in upholding it;" "The Monroe Doctrine should be turned into a mutual association of equal states, supporting one another for the common welfare of the Americas and operating for the development and prosperity of each and all;" "Unless we can obtain their support the doctrine is futile;" "We should not excite the sensibilities of the Latin American states by claims of superiority and of sovereignty on this hemisphere, but join with the well behaved states in guiding the weak ones;" and "The trend, seems to me, is toward a world's concert of the great nations, but as long as there is the Concert of Europe, let us have an American concert of nations, the United States and the three more stable of the South American republics, and other American nations as fast as they prove their fitness."

If the writer might hazard a further explanation of the kind of cooperation which is generally desired, he would suggest that it is in the nature of an understanding rather than of any definite alliance. While cooperation should take place in the sense of a mutual exchanging of views; joint agreements, so far as possible, upon questions of interpretation and defense; and occasionally joint military operations; yet, in the ordinary course, such stable states as Argentina, Brazil, Chile and possibly Peru would naturally take the lead in enforcing the Monroe Doctrine in their own section, and the United States would expect a like leadership in the region about the Caribbean Sea.

In one of the letters received in answer to the list of questions sent out, a university professor wrote: "Your summary will be most interesting. . . . Will it, however, represent the American people? There seems," he said, "a considerable disposition among those of us who fill academic positions to discard or deprecate the doctrine." To anticipate such an implied criticism as this, it should be stated that no claim is made that this summary of the views of the lecturers upon International Law represents the ordinary thought of "the man on the street." It is believed, however, that it is an excellent test of the attitude of the best informed and of the most advanced public opinion of the nation, as well as of the judgment towards which this country as a whole is rapidly tending.

But the writer wished also to gauge the feelings of "the American people," as the letter has expressed it, and so sent this same set of questions to a carefully selected list of newspapers and periodicals.

From the replies received, and from a few recent editorials in which one or more phases of the doctrine are discussed, answers or opinions upon some or all of the questions submitted have been obtained from forty-seven leading publications.

The first impression is that the foremost newspapers and periodicals, instead of being enthusiastic supporters of the present Monroe Doctrine, as it was expected they would be, are somewhat hazy in their views regarding the various aspects of the policy. The editor of the *Omaha Bee* writes, "I doubt whether the sentiment of our general public is crystallized on the subject of the Monroe Doctrine," he adds, "Speaking briefly of my own views, and which I think reflect the views of many with whom I come in contact, I would say that the Monroe Doctrine needs redefinition."

But the important fact regarding the opinions of the press, so far as they have been obtained, is that they accord substantially with those of the college and university professors of international law and diplomacy. There is a general feeling of dissatisfaction with the doctrine in its present form, a belief that it should be more clearly explained, and that it should be modified in certain respects. Only four publications definitely give full approval to the doctrine as it is generally interpreted at the present time. One of these is the *Kansas City Star*, which states, "The *Kansas City Star* always upholds the President on matters of foreign policy, including his interpretation of the Monroe Doctrine." Two of the others are the *Springfield Republican* and the *Brooklyn Eagle*.

On the other hand, there is a general conviction that the doctrine should not be given up entirely. The *Louisville Courier Journal* seems to be the only paper to favor complete abandonment.

As to constructive changes, a large majority, thirty to seven, believe that the doctrine needs clearer interpretation, especially for Latin America. The modification of the doctrine which the press believe is needed, is the same suggested by such a large majority of the university world, cooperation with at least the stable American republics. So far as definite views have been expressed on this point, thirty favor cooperation of some form, while only six show that they are definitely opposed to it. Twenty-five believe in the most complete cooperation, that is, in joint action by the stable Latin American countries and the United States in both interpreting and enforcing the Monroe Doctrine wherever it may apply on this hemisphere.

A few direct quotations from various papers will show the general

dissatisfaction with this policy in its present form: "The Monroe Doctrine is as elastic as India rubber and as comprehensive as all out-doors" (*New York Sun*); "That vague thing known as the Monroe Doctrine" (*New York Evening Post*); "The whole world would be grateful for some dependable definition" (*Detroit Free Press*); "The doctrine should be abandoned or emphatically restated" (*Harrisburg Telegraph*); "The time has clearly come for revaluing the Monroe Doctrine" (*Boston Herald*); "The Monroe Doctrine, President-made in the first place, has been made over and over again until its own father wouldn't know his child" (*The New York Press*); "It means just what we wish it to mean, and is to be applied only when we think it wise. It has been modified to death" (*The Nation*).

Some papers strongly favor a return to the original meaning of Monroe, as is shown by the following comments: "It should be continued as stated by Monroe" (*Omaha World-Herald*); "In principle it should be continued. The interpretation of the doctrine in late years is an unwarranted extension of the responsibility of the United States" (*Wilkes-Barre Record*); "The Monroe Doctrine should be construed strictly by the terms of its early formulation. The United States by adherence to it assumes no office of policing South and Central American countries" (*The State*, Columbia, S. C.); "As it is now interpreted here and elsewhere, the Monroe Doctrine becomes not only a menace to our peace and safety but fails utterly in its benevolent purpose as regards the southern republics" (*New York World*); the Monroe Doctrine "does not make us the guardian and wet-nurse of Latin American republics. . . . There is great need that the Latin American nations, European nations, and especially *this* nation should understand thoroughly what the doctrine does mean and does not mean" (*The Duluth Herald*).

There is, further, a widely held conviction that the Monroe Doctrine should be changed from a unilateral to a Pan American basis. Several of the publications gave their reasons for this belief and their comments, some of which are as follows: "It should mean that all stable republics should unite to prevent aggression or colonies representing European or Asiatic Powers" (*The Philadelphia Public Ledger*); "It is only through the frankest cooperation . . . that the Monroe Doctrine can be prevented from becoming a source of offense between the United States and the other nations of the new world" (*Detroit Free Press*); "The remedy . . . is a complete abandonment of our pretensions to any special influence in the

policies, government and destinies of any American nation except our own, and inviting all well established American governments to join with us in the formulation and enforcement of a Pan American policy (*San Francisco Chronicle*); "We believe that thorough cooperation with South American republics, stable or unstable, will convince them of the wisdom of the Monroe Doctrine. There is doubt if it should be enforced unless it has their thorough cooperation" (*Tacoma Daily News*); "The doctrine which Roosevelt is preaching in South America to the effect that the stable governments be invited to cooperate with the United States in enforcing the Monroe Doctrine wherever it may appear to be necessary hereafter, meets with my personal views on the matter" (Editor of *The Los Angeles Express*). Of the periodicals, *The Outlook* says: "We emphatically believe that whenever the United States has occasion to interpret and enforce the Monroe Doctrine, the United States should take for granted that it has the approval of Argentina, Brazil and Chile, and in any instance which involves or may involve intervention, the United States ought to invite their cooperation." The *Independent* expresses a similar but slightly different view which is held by several, that there should be complete cooperation in South American matters but unilateral enforcement of the Monroe Doctrine by the United States in the Caribbean region, and adds, "In our concern for the well-being of the peoples of the Western Hemisphere, . . . we must be their partner, not their patron."

The majority of the press, then, agree with the majority of the experts, that the present status of the Monroe Doctrine is unsatisfactory, that the policy should be clarified by a clearer interpretation of its meaning and that it should be broadened and strengthened by being placed upon a Pan American foundation.

The Monroe Doctrine has been called a President-made policy, and there is some justification for the expression. The present day opinion, then, of those who have once helped to interpret and to enforce this policy, must have particular value. Ex-President Taft, in a recent address, states that Europe is so little likely to seize territory from Argentina, Brazil and Chile that the doctrine may well be regarded as no longer in force so far as they are concerned. To give his exact words, "this possibility is so remote that it practically removes them from the operation of the Monroe Doctrine. I am glad," he continues, "that Mr. Roosevelt in his visit to those countries has sought to impress them with the same view of the Monroe Doctrine

that I have thus expressed." In regard to establishing complete cooperation, he says, "If we could do this, I would be glad to have it done, because it would relieve us of part of a burden and would give greater weight to the declaration of the policy. I would be glad to have an effort tactfully made to this end." After expressing his apprehension that this may not be possible, he adds, "I hope my fear in this respect will prove to be unfounded and that the plan suggested may be successful."

Ex-President Roosevelt holds somewhat similar views. In his address to the people of Argentina he exclaimed: "I wish there to be no doubt of my meaning. As far as you are concerned, we have no more concern with the Monroe Doctrine about you than you have about us. . . . The Monroe Doctrine in the sense of special guardianship thereof by the United States of the North no longer applies." In regard to cooperation he expresses the hope that "all of the Latin American peoples will finally reach such a level of orderly self-government, of material prosperity, of potential strength, and of political and social conduct as to make the Monroe Doctrine, in the sense of being a merely unilateral doctrine, a thing of the past and to substitute for it a common agreement among all the free republics of the New World."

To this list of those now living who have notably helped to create the Monroe Doctrine of today, should be added the name of Honorable Richard Olney, Secretary of State during the Venezuela dispute in the administration of President Cleveland. The words of this distinguished statesman that "the United States is practically sovereign on this continent," are quoted continually, but they fail to do full justice to Mr. Olney's position. Before the American Society of International Law, in 1907, he stated his belief in the principle of cooperation in the enforcement of the present Monroe Doctrine. He still holds these views, for, not many weeks ago, he mailed a copy of this address with the following quotation double marked: "How and on what lines is it desirable that the United States should proceed? Surely not by making itself a sort of international American 'boss'—but by proceeding on lines justified by precedent and the highest considerations of policy—by initiating, cultivating and working through an American concert."

The only living ex-Presidents, then, Mr. Roosevelt and Mr. Taft, both believe that the Monroe Doctrine, at least in its sense of guardianship and tutelage, should be considered inoperative for such states as

Argentina, Brazil and Chile. The three men, now living, who have probably had the largest part in enforcing the doctrine, all believe that it should be modified, if possible, by being placed upon some sort of an all-American agreement.

Should the Monroe Doctrine, then, continue to be a policy of the United States, to quote the question assigned for this closing hour? In the judgment of a large majority of 146 lecturers upon international law and American diplomacy in our colleges and universities, of a majority of forty-seven leading American newspapers and periodicals, and of our two living ex-Presidents, the Monroe Doctrine should continue to be a policy of the United States; but it should not continue as it is now popularly understood, an indefinite policy, to be interpreted and enforced by the United States alone, and considered operative in full force throughout the entire hemisphere. It should be more clearly interpreted; and should be placed, in some way, upon a broader all-American basis.

But further questions arise. Which of the many definitions presented at this annual meeting shall be accepted, and how shall this definition be made authoritative? Just what shall be the function of this American "concert"? What shall be its rights and its duties? What shall be the limits to its action? How shall matters of all-American concern be differentiated from matters of more national concern? Finally, just how are our sister republics to be "tactfully invited" to join us in a policy of cooperation? These are important questions, but their answers must be left to some other occasion. The purpose of this paper has been fulfilled—to show the general attitude towards the Monroe Doctrine of representatives of the thoughtful classes of this country.

COLBY N. CHESTER¹

Two distinct and far reaching principles are laid down in the Monroe Doctrine. The first is the principle of "self-defense." Self-preservation is the first law of nature, and it is the first law of nations.

¹ The present extract is from the article by Rear Admiral Chester, U. S. N., entitled *The Present Status of the Monroe Doctrine*, published in *The Annals of the American Academy of Political and Social Science*, vol. LIV, July, 1914 (Whole No. 143), pp. 20-27.

In the case of the United States the national defense required, when the doctrine was enunciated, that the country should hold a protectorate throughout the entire western continent. The second principle is that South American republics, which followed our lead in declaring their independence, should have our protection in maintaining this doctrine for themselves. As Secretary Bayard once said: "The United States proclaimed themselves the protector of the western world in which she was the strongest Power," as "it was manifest," said his successor Mr. Olney, "that it was the only power on this hemisphere capable of enforcing the doctrine."

The first principle of the Monroe Doctrine—self-preservation—is axiomatic and immutable, and all other considerations must give way to it. The second principle, like the constitution of a country, is amenable to changes or amendments that will bring it into accord with new conditions that may arise in the country. The question now is, therefore, do the same conditions prevail on the western continent today, that existed at the time President Monroe sent his message to Congress in 1823?

There have been so many different interpretations placed upon the Monroe Doctrine, by theorists and others, who know but little of its practical applications, that it is necessary to recall a little of its history in order to obtain a clear understanding of the subject. In the early twenties of the last century, the whole of Europe became alarmed at the unsettled political outlook caused by the American and French revolutions, which had shaken every throne on the continent, and bid fair to undermine monarchical government. Three of the great powers, Russia, Prussia and France (once again a kingdom), then formed what is known as the "Holy Alliance," on account of their common religious affiliation, for the purpose of staying the tide of freedom which threatened to overwhelm them. They then prepared to recapture the South and Central American Republics, which had recently severed their connections with Spain, and make them appendages to European monarchies. England was, at the time, the only constitutionally governed country in Europe, and fearing that the "balance of power" between the European states might again be disturbed by such a combination, she, with no desire to promote republican institutions, however, proposed an alliance with the United States. Naturally neither country could harmonize its views on such a matter, and no political combination was formed, but an understanding was reached that England would not interfere

with any action that America might take in the matter, thus giving her quasi approval to the message sent to Congress by President Monroe. Had it become necessary for the United States to take any overt action, at that time, in support of the Monroe Doctrine, this country would have had the moral support at least of the British Government; but we now could hope for no aid from that country, and it is doubtful, indeed, if we could count on the approval of the Latin Americans, for whom, more than for ourselves, the doctrine was established, unless we harmonize some of our conflicting interests with them.

We should not fail to remember that the South American republics were in their infancy at the time the Monroe Doctrine was declared, and were struggling for freedom against great odds. The United States proclaimed herself the protector of the western world as a matter of necessity, for without her aid the newly formed republics were helpless to battle against the great odds opposing them. The declaration of the Monroe Doctrine constituted, therefore, the most significant and decisive act towards guaranteeing the independence of all the American states that could have been devised. It produced the prompt recognition of the infant republics of South America by the English in 1823, and performed a service for Great Britain herself, of which Canning, the Secretary of British foreign affairs, said: "I have brought out a new world in order to reestablish the equilibrium of the old."

The question today, as far as our own national defense is concerned is, would it be a menace to interests centered so far away as the United States, if a European power, whose political and even religious aspirations may be the same as our own, should attempt to acquire territory in Argentina for instance? Such an assault would of course affect the interests of that country, but should the United States attempt to interfere in the matter unless asked by Argentina to aid her in throwing off the menace that assailed her? In case of assisting her we would become her ally, and probably one of many powers that might join with her in resisting the attack. It would seem, now that the continent is cut in twain by the construction of the Panama Canal neutralizing if not destroying the value of the old trade route between the Atlantic and Pacific oceans via Cape Horn, that it would have no material effect on the "vital" interests of the United States, if a forcible attempt should be made by some European power to take one of the Argentine islands, sit-

uated at the extreme end of the continent. It is such changed conditions in the political relations with our South American brethren as this, that call for some new arrangements concerning the application of the Monroe Doctrine.

The principle that the affected country had paramount importance in its own affairs, unless they related to interests of a combination of which she was a part, was admitted by President Cleveland, in his celebrated message sent to Congress in 1895, commonly known as the "Venezuela case." In this message he stated (with some logical defect, I think, as far as Venezuela is concerned, as I shall endeavor to show later on), that if that country wished to *sell* any portion of her territory to Great Britain, she had a perfect right to do so, and the United States had no right to interfere in the matter. This principle might apply to Argentina, at the present time, but such an act of selling a portion of her territory to a European state would not have been tolerated by the United States in 1823, under any circumstances; for Mr. Monroe then said in no uncertain words, that, "any attempt on their part (Europeans) to extend their system to any portion of this hemisphere (would be) dangerous to our peace and safety."

On account of changed conditions in South America at the present time, there is a growing disposition on the part of some well informed Americans to limit the territorial extent to which the Monroe Doctrine should apply to the states that lie to the northward of the Amazon River; but such a limitation would be met with difficulties surpassing, in my opinion, those we should attempt to escape. By holding a protectorate over this restricted field only, we throw out of consideration all fellowship with the states to the southward of this line of demarcation, at once causing jealousies among the larger and more important of the South American republics, making them enemies of our defensive policy as selfish in its nature, and would most likely tend to add their moral support to our many commercial rivals and antagonists.

Leading statesmen of Brazil and other South American republics have declared that the Monroe Doctrine is discredited in the republics for whose benefit it was devised, not that they do not appreciate the good intentions of the United States, but they deny the right of this nation to appoint itself guardian over their welfare. A doctrine founded upon the principle laid down by James Monroe, but giving the right of a protectorate to the powers in general and

not to any country in particular, would be the ideal doctrine, in the belief of the people of Latin America.

As exemplifying the interests and aspirations of the South Americans in this connection I would relate the following:

On the 15th day of November, 1894, the fifth year of the foundation of the republic of Brazil, in the presence of the representatives of the principal American republics, including the United States, was laid in the city of Rio de Janeiro, the corner stone of a monument to American solidarity. Under this stone this official record lies: "The monument which will be erected on this spot in which this stone is laid, and which will symbolize the political union of the different nations of the continent of Columbus, will be surmounted by the figure of James Monroe, author of the celebrated doctrine known by his name, which teaches that the nations of the new continent should unite for the purpose of preventing any undue interference of the nations of Europe in the internal affairs of America. Around the principal figure will be grouped the great national liberators of America, Washington, Jefferson, Juarez, Toussaint Louverture, Bolívar, José Bonifacio and Benjamin Constant."

I give you this incident and picture to study in contrast with another view depicting the scowling faces of many South Americans, from whom we are just now seeking commercial advantages, who spurn the foreign policy of the United States as it now stands, shun its commercial policy and belittle its domestic policy.

No, it were better in my opinion, to maintain the original jurisdiction of the Monroe Doctrine, but to recognize the fact that many of the twenty other American republics are no longer the weaklings they were when the policy was formulated, unable to defend themselves, but are now strong enough to share in the common defense of the continent, and act in consonance with them in maintaining the political rights of all.

We cannot, however, with propriety form an "alliance," for that word has been tabooed by an unwritten law of the land; but we can engage in an "entente," as foreigners call it, with the republics of South America that will give them a share in the responsibility of maintaining a policy which looks to the general good of all parties concerned.

Let us form then, not an alliance, but a "concert of action" after the principles of the Monroe Doctrine, similar to that established in Europe for the support of the doctrine known, there, as "the balance of power," which will show that all the states interested hold the same opinion regarding this doctrine. The moral effect of such an "entente" will be sufficient to stay the hand of any European nation, which may seek political annexation of American territory.

Aside from all considerations of our own self-interests, should the United States arrogate to herself the right to dictate a policy to the Latin-American states, which concerns their vital interests quite as much as our own, and which they resent as "bossism," now so universally abhorred, and which is belittling to their self-respect? Should we not, on the other hand, urge such powerful nations as Argentina, Brazil and Chile, and such others as may be useful to the cause, whenever they may be able to maintain stable governments for a sufficient length of time to warrant it, to join with us in carrying out a general policy that is of mutual advantage to all republics on the continent? Call this part of our international policy by the name of the Monroe Doctrine, if you will, or by the term "America for the Americans," which will probably better please our confreres in the south, and at the same time be in accord with the general principle of the Monroe Doctrine.

Having made a compact with the South American republics as suggested the United States would be in a better position to devote attention to those matters which more especially affect her interests at home and in nearby states, where foreign aggression would jeopardize its vital interests.

There is a field, in which the interests of the United States as far as they relate to the basic principle of the Monroe Doctrine—"Self-preservation"—are paramount, the protection of which cannot be shared with any other nation. This district comprises the countries lying contiguous or adjacent to our own, bordering on the Caribbean Sea or the Gulf of Mexico. The right of the United States to protect these countries from foreign aggression has been recognized in many ways by European countries, and the protection of "the father of republics" has been called for, and accepted so many times, as to establish this policy of the American government as an inalienable right. Notable instances were when the United States drove the French out of Mexico in 1865, and again when Spain was forced to give up her control in Cuba in 1898.

But aside from the fact that "self-protection," the basic principle of the Monroe Doctrine, compels the United States to take cognizance of the political affairs of Mexico, Central and South American countries bordering on the Gulf of Mexico and the Caribbean Sea, we have assumed an obligation here in behalf of the interests of the whole world, that makes it imperative that these countries and seas shall be under the supervision of the United

States, and we have also by treaty stipulated that no other country shall share in this protectorate. By the Hay-Pauncefote treaty, and the one recently made with Panama confirming its main features, the United States agrees, not only that the American "canal shall be free and open to the vessels of commerce and of war of all nations," but, guarantees that "the canal shall never be blockaded nor shall any right of war be exercised nor any hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the Canal as shall be necessary to protect it against lawlessness and disorder." This is a most sweeping assumption of responsibility, and the fact is that the United States cannot protect the world's interests in the Panama Canal, without maintaining naval control of the seas that wash her shores on the south, as well as holding supervision of the foreign relations of the countries bordering on those seas.

The Caribbean Sea holds the base of the American fleet at Guantanamo, Cuba, and its advance base at Culebra, Porto Rico. In fact all the essentials for properly defending the canal lie in the region covered by its waters and those of the Gulf of Mexico. For all military purposes, therefore, these seas must be considered "The greater Panama Canal Zone," and the naval policy of the United States the only guide to perfect peace within their limits.

In defending the continental policy of "America for the Americans" the United States will have ample cause for keeping up an efficient navy, and to protect the seven thousand miles of coast line, including "the greater Panama Canal Zone," she will need every ship that our non-military people will authorize to be constructed.

It has been well said that the Monroe Doctrine is as strong as the navy of the United States, and in view of the fact that our countrymen insist on maintaining but a small navy as compared with those that might be brought against it in combination, our people should avoid creating enemies, who might be tempted, in order to protect their own interests, to form an alliance with more power than we could bring to bear against them. In this connection I would recall the visit of Senator Root to South America in 1906, which, at the time, produced a friendly feeling between the North and South Americans, that lately has been greatly augmented by the forceful presence of his then chief, President Roosevelt, in that country. The sojourn of these two greatest of American statesmen in the South, has done more to cement the ties of fellowship between the

two sections of the continent than anything that has occurred in the political lives of its people in many years. Dr. Edward Everett Hale once said of the first visit, that it was the most important event that had taken place in the history of the country during the first decade of the century, not excepting the peace of Portsmouth, and nothing has yet arisen in the second decade, which, I believe, will have greater influence in strengthening this feeling than the expedition of Colonel Roosevelt to South America. As this last occasion took place at a significantly opportune moment, just before the opening of the Panama Canal, when we are about to inaugurate a new departure in our foreign trade relations, its commercial value is very important.

Let the United States follow up these auspicious visits of our countrymen to the Southland, and, in the words of the Hon. John Barrett, director of the Pan-American Union, "take advantage of the opening of the Panama Canal, to signalize formally, as it were, the beginning of a new Pan-American era in which the Monroe Doctrine, which represents the dictum of one government in the family of nations, shall evolve into a greater Pan-American doctrine, which shall represent the mutual interest and protection of all."

It is better to make friends than to build guns.

GEORGE B. DAVIS¹

The political principle which has become generally known as the Monroe Doctrine has never been regarded, or even suggested, as a rule of international law. Like the principle of the European Balance of Power, however, it concerns more than a single state in its operation and has been made the subject of diplomatic intercourse, and is, for that reason, entitled to a place in a work professing to treat of the relations of sovereign states and of their intercourse with each other.² . . .

¹ Former Judge Advocate General, U. S. A.; delegate plenipotentiary to the Geneva Conference of 1906 and to the Second Hague Peace Conference, 1907. The following extract is taken from his work on *The Elements of International Law* (4th ed., Harper and Brothers, New York, 1916), pp. 110, 112-13.

² The Monroe Doctrine has for its objects the maintenance of peace on the western continent and the preservation of the American states in their integrity. In this respect it bears a relation to the states of America in some respects resembling that borne by the principle of the Balance of Power to the states of Europe, and has the same claim to consideration from the point of view of international law.

These declarations, which have become known as the "Monroe Doctrine," have never received express legislative sanction, and, therefore, do not constitute a part of the municipal law of the United States. Nor, in a similar sense, are they rules of international law. They have been frequently cited, however, by the Executive, as an expression of the permanent foreign policy of the United States, and have received the support of the political departments of the government and the approval of the American people.

The declaration in respect to colonization proceeded upon the assumption that every part of the territory upon the American continent formed a part of, or was embraced in, the territorial limits of some then existing state, and that, as a consequence, no territory remained in the western hemisphere which could be made the subject of occupation, or colonization, without invading the territory of a sovereign state. Such an attempt to plant colonies in any portion of the western hemisphere would, therefore, be met and resisted by the state whose territories were invaded, and the European power making the attempt might, or might not, incur the disapprobation, or active opposition, of the United States. The question whether the United States would interfere, or refrain from interference, in a case of attempted colonization, is one which would be determined by that government in accordance with the peculiar circumstances of the case.

The doctrine has never been interpreted to mean, however, that the United States would lend its aid in every case of dispute between a Spanish American republic and a European state. Nor has it been regarded as a dormant treaty of alliance, to come into operation upon the occurrence of war between an American state and a European power, to which the United States is bound to become a party against its judgment, or in opposition to its will; it is only when something in the nature of coercion has been undertaken, when some attempt has been made on the part of a European power "to extend their system to any portion of this hemisphere," or when there has been "interposition for the purpose of oppressing an American republic" that a case calling for interference may be said to arise.

JOHN W. FOSTER¹

The paper which I am about to read was written several days ago, before the occurrence of the events of the last few days in Mexico. I refer to Mexico several times in my paper, but I do not think it will require any amendment of what I have written.

The disorder which has been prevailing in Mexico for some time past and the consequent embarrassment to the Government and people of the United States have given occasion to much misconception as to the functions of the Monroe Doctrine. The fact is that this doctrine has no application to the present conditions in that unfortunate country. Its primary object was and is to prevent the permanent occupation by European nations of any of the territory of the American states or the overthrow of their political institutions. Neither of these matters is involved in the recent or present situation in Mexico.

It is often asserted in the press and by our public men that because, as a result of that doctrine, we do not allow those nations to send a military force into Mexico to protect their subjects and compel a recognition of their just demands, our government must undertake that task for them. But our government has never given such an interpretation to that doctrine. Succeeding administrations have repeatedly stated that European governments are free to make war upon the American states, or to resort to force to support their complaints, provided they observe the two conditions above stated as to territory and political institutions. Several notable instances may be cited.

In 1864 Spain declared war against Peru and Chile. After receiving assurances from Spain that it had no intention to reannex those republics or to subvert their political system, Secretary Seward, referring to the American states, instructed our ministers that "we concede to every nation the right to make peace or war, for such causes other than political or ambitious as it thinks right and wise."² In 1860 Secretary Cass informed the French representative in Washington "that the United States did not call in question the right of France to compel the Government of Mexico, by force if necessary, to do it justice."³ In 1861 the Governments of Great Britain,

¹ Secretary of State of the United States 1892-1893. The present address, *Misconceptions and Limitations of the Monroe Doctrine*, was delivered before the American Society of International Law in 1914. *Proceedings*, 1914, p. 119.

² *Diplomatic Correspondence of the United States*, 1866, part 2, p. 413.

³ Moore's *International Law Digest*, p. 480.

France and Spain approached the United States with a view to securing its joint action with them in a military expedition to compel Mexico to satisfy their complaints for the murder of their subjects and destruction of their property. The United States declined to unite with them, but Secretary Seward said that the President "did not question that the sovereigns represented have undoubted right to decide for themselves the fact whether they have sustained grievances, and to resort to war against Mexico for redress, and have a right also to levy war severally or jointly."¹ A similar attitude was assumed by the United States when in 1902 the British, German, and Italian Governments sent a naval expedition to Venezuela to enforce the claims of their subjects.²

Many other instances may be cited for the forcible interference of European governments with American countries to redress the complaints of their subjects. France in 1838 blockaded the ports of Mexico as an act of redress for unsatisfied demands. In 1842 and in 1844 Great Britain blockaded the ports of Nicaragua, in 1851 the whole coast of Salvador, in 1862-3 seized Brazilian vessels in Brazilian waters as acts of reprisal, and in 1895 resorted to force to bring about a settlement of certain demands against Nicaragua.³ In 1897 a German naval force entered Port-au-Prince and under threat to shell the public buildings forced the Haytian Government to yield immediately to certain demands which the latter claimed were unjust and exorbitant.⁴ The bombardment of Valparaiso by the Spaniards, the tripartite military expedition of the British, French, and Spanish in Mexico, and the blockade of Venezuelan ports by the British, Germans and Italians have already been mentioned.

The other misconception as to the functions of the Monroe Doctrine, based upon the false conception that we do not permit force to be used by European governments, is that we must undertake the enforcement of their just claims against Mexico or other disorderly American republics. From the language of that doctrine as announced by President Monroe we can draw no such mandate, and the history of our relations with the American states shows that such a procedure on our part would be unwise, if not impracticable. The position of our government on this phase of the subject has been repeatedly declared. Secretary Sherman, in an instruction

¹ House Executive Doc. 100, 37th Cong., 2d Sess., 185-187; 52 *British & Foreign State Papers*, 394.

² *Dip. Cor. U. S.*, 1901, p. 195.

⁴ *Ibid.*, 474.

³ 6 Moore's *Int. Digest*, p. 596.

to our minister in Hayti respecting the troubles between that country and Germany, wrote:

This government is not under any obligation to become involved in the constantly recurring quarrels of the republics of this hemisphere with other states. The Monroe Doctrine, to which you refer, is wholly inapplicable to the case.¹

It is likewise a misconception of the doctrine to assert that it is our duty to interfere by force with the administration of the affairs of other American republics, when they fall into anarchy through their oft-recurring revolutions. It has been the uniform policy of our government to observe strict neutrality between the warring factions, and limit the action of our diplomatic, naval, and military representatives to the protection of the lives and property of American citizens. Instances have occurred where it has been charged that their action has resulted in favoring one of the contending parties as against the other. A case of this kind is cited in the action of our naval vessels in 1894 in the harbor of Rio de Janeiro, in so interfering with the rebel ships as to favor the republican government of Brazil. Admiral Benham reported that his action was taken solely to protect American shipping and commerce.² A more recent case was the landing in Nicaragua of a considerable military force in 1912 during a revolution, and its maintenance ashore for a considerable period after the revolution was suppressed, its object being stated to be for the protection of American residents and their interests. In these or other cases, if our representatives have displayed force in such a way as to favor either faction, it must be regarded as contrary to the policy of our government of a strict neutrality. So far as the conditions in Mexico are concerned, our proximity and the predominance of our industrial and commercial relations furnish occasion for greater interest and supervision on our part than that of any other nation; but the Monroe Doctrine has no place in influencing our action respecting that country.

An appeal is often made to the Monroe Doctrine as a reason for the maintenance of a large and overpowering navy by our country. Mr. Roosevelt when President strongly and repeatedly argued in favor of a rapid increase in our navy as a necessity for maintaining this doctrine. Mr. Taft has more than once declared that the Monroe Doctrine was no stronger than our navy. I venture, against these high authorities, the assertion that neither our history nor the

¹ 6 Moore's *Int. Digest*, 475.

² *Dip. Cor. U. S.*, 1893, pp. 47-140.

conduct of European governments justify these declarations. If the Monroe Doctrine did not contain a high moral principle of ethics and government which commanded the respect of all civilized nations, we could not build a navy fast enough nor create an army large enough to enforce it against the hostile sentiment of the great Powers of Europe. In 1823, when President Monroe proclaimed in his annual message to Congress the new policy of his administration, our navy was insignificant and would have been impotent as against the armaments of the Holy Alliance. It was the moral tone and reasonableness of the policy that led that Alliance to advise Spain not to challenge it.

The only time in our history when a formidable attempt to disregard the Monroe Doctrine has been made was in the establishment of the so-called Maximilian empire in Mexico during our Civil War. At the close of that war we were in a position to enforce the doctrine, but close students of French politics and government assure us that the French people were so disgusted with Napoleon III for his chimerical scheme and with the unwisdom of disregarding our known policy, that a further attempt to support Maximilian would have resulted in Napoleon's overthrow at home. The sense of justice and fair dealing of the French people condemned him, and a diplomatic note from Secretary Seward was all that was necessary to cause the withdrawal of the French troops from Mexico.

The most bold and pronounced assertion of the Monroe Doctrine was Secretary Olney's correspondence and President Cleveland's message on the British-Venezuela territorial question in 1895. The challenge to Great Britain was in the most peremptory terms, and the war fever was instantly awakened on both sides of the Atlantic. Although the navy of the United States was far inferior to that of Great Britain, it did not deter the President from issuing the challenge, nor was the Government of Great Britain controlled in its conduct by the superiority of its armament. It was not prepared to test the strength of its navy on an issue in which the right was so largely on the side of Venezuela, and the British people's rugged view of justice and fair play would not permit its government to enter upon a war in which the issue was so plainly against them. At no time in our history has the weakness of our navy entered as a factor in controlling the action of our government in the assertion of the Monroe Doctrine against the great Powers of the world, nor has this weakness influenced these Powers respecting the doctrine.

It is often asserted that the Monroe Doctrine has no status in international law and therefore cannot be appealed to in our relations with other Powers. It might be retorted that the policy of certain of the European Powers in parceling out and occupying Africa has no warrant in international law, but our government has not seen fit to call the policy in question. The great nations are straining their energies to the utmost to preserve the "Balance of Power" in Europe, but it is a policy which affects us only remotely and we abstain from participation in its control. In his notable message of 1823, President Monroe, in referring to the international affairs on that continent, said that in matters relating to European Powers themselves we have never taken any part, nor does it comport with our policy to do so. It does not call for incorporation into the accepted code of international law to have the policies of the European continent or the American hemisphere respected or enforced. The fact is, however, that the Monroe Doctrine has been repeatedly recognized and observed by all the great Powers of Europe. A few instances may be cited. In 1861 Great Britain, France and Spain, through their ministers in Washington, addressed a note to Secretary Seward transmitting a copy of a convention in which they agreed to the joint military expedition into Mexico already mentioned, to secure a redress of their grievances, and in which they bound themselves not to seek any acquisition of territory, or to impair the right of the Mexican nation freely to constitute the form of their own government.¹ This was an explicit recognition of the Monroe Doctrine.

In 1901 the Governments of Germany, Great Britain and Italy took steps towards the enforcement of the claims of their subjects against Venezuela. However, before putting their movement into operation, they advised our government of their intentions. The German Ambassador, in a promemoria handed to the Secretary of State, used this language:

We consider it of importance to let first of all the Government of the United States know about our purpose so that we can prove that we have nothing else in view than to help those of our citizens who have suffered damages. . . . We declare especially that under no circumstances do we consider in our proceedings the acquisition or the permanent occupation of Venezuelan territory.

In his annual message the President, referring to the proposed combined naval operation, said: "The Monroe Doctrine is a declaration

¹ H. Ex. Doc. 100, 37th Cong., 2d Sess., 185-187; 6 Moore's *Int. Dig.*, 485.

that there must be no territorial aggrandizement by any non-American Power." He then referred to the "voluntary and friendly declaration of the German Ambassador which was received in the frank and cordial spirit in which it was offered." Similar assurances were given by the British and Italian Ambassadors.¹

In 1866 it became known that the Austrian Government had concluded a military convention authorizing the levy of troops in Austria to go to Mexico to the support of Maximilian. A protest was directed by Secretary Seward to be made against the expedition, and although a considerable number of troops had been enlisted, when the protest was received, the Austrian Minister of Foreign Affairs informed our minister that the troops would not be permitted to depart, and they were disbanded.²

The foregoing embrace the specific action of six of the great Powers of Europe—Great Britain, Germany, France, Austria, Italy and Spain,—recognizing the Monroe Doctrine as a policy of the United States to be observed in their relations with this hemisphere. Its incorporation into the code of international law could not make it more effective so far as they are concerned.

Another kindred assertion respecting the Monroe Doctrine is that it has no legal force in the United States because it has never been regularly enacted into a law by the Congress of the United States. It is true that Congress has taken no such action, but both Houses have by separate resolutions declared their emphatic adhesion to the policy, and the succeeding Presidents since Monroe in their messages to Congress have reasserted the declaration issued by him in 1823. It has not been heretofore thought prudent to enact the policy into a formal statement by Congress, because, as expressed in a resolution adopted by the House in 1826, "the people of the United States should be left free to act, in any crisis in such a manner as their feelings of friendship towards these republics, and as their own honor and policy may at the time dictate."³ But our government in 1899 took the most positive and solemn action respecting the Monroe Doctrine. In the full session of the Hague Peace Conference, in signifying their adhesion to the Peace Convention, the delegates from the United States made this public declaration: That nothing contained in the said convention shall be construed to imply a relinquishment by the United States of America of its traditional attitude towards purely American

¹ *Dip. Cor. U. S.*, 1901, p. 194.

³ *Ibid.*, 420.

² 6 Moore's *Int. Dig.*, 505.

questions.¹ This declaration was received without a single dissent from any delegate. It was incorporated into the convention as a part of the treaty, as such was ratified by the Senate of the United States, and is now a part of the public law of the nation. A more formal and solemn assertion by the law-making power could hardly be made.

We have heard of late some suggestion that the doctrine should be abandoned for various reasons. It is alleged that it is unpopular in the larger states of South America and that we are looked upon with suspicion by Latin America. It is true that the growth of something like imperial power and prosperity of Brazil, Argentina, and Chile largely removes the possible occasion for the assertion of the doctrine in that part of the hemisphere; and also that manifestations of unfriendliness or dictatorial action on the part of some of our officials have occasioned resentment in Latin America; but there exists no valid reason for the abandonment of the doctrine on our part. Since the construction of the Panama Canal its maintenance has been increased in importance, and it was never more essential to our safety than today. A few years ago Professor Münsterberg, of Harvard University, issued a fulmination against its wisdom and good policy which attracted passing notice;² and of late there has been a recrudescence of academic learning upon the subject. Rarely does a man of public affairs utter such views. As against the professors, I would give the utterances of two of the greatest statesmen and patriots our country has produced, and their words are as appropriate today as when uttered. Daniel Webster in the Senate said: "I look on the message of December, 1823, as forming a bright page in our history. I will neither help to erase it nor tear it out; nor shall it be by any act of mine blurred or blotted." I quote the words of Grover Cleveland in his Venezuelan message of 1895: "It was intended to apply to every stage of our national existence."

¹ Report of the United States Commission, July 31, 1899, Holls, *Peace Conference at The Hague*, 477, 531; *Compilation of Treaties in Force*, 1904, p. 921.

² 6 Moore's *Int. Dig.*, 528.

CHARLES EVANS HUGHES

OBSERVATIONS ON THE MONROE DOCTRINE ¹

The postulates of our foreign policy were determined by the ideals of liberty. The dominant motive was the security of the Republic; it was a policy of "live and let live," with no imperialistic designs or thought of aggression. There was a deep-seated conviction that the opportunities of a hard-won freedom would be threatened by the ambitions of European powers constantly seeking their own aggrandizement by the forcible imposition of their will upon weaker peoples, and that the peaceful aims of the new Nation could be achieved only by keeping clear of the toils of European politics and strife. It was this conviction of the necessity of maintaining an independent position which led to the declaration of neutrality in 1793 despite the treaty of alliance with France, which had sprung from the exigencies of the Revolutionary struggle. The words of the Farewell Address were more than a solemn admonition of the foremost American patriot—they set forth principles which those who established our foreign policy held to be its corner stone.

It is interesting to recall that the conduct of our foreign affairs was directed for many years by a few men, the most enlightened of our statesmen, and, considering the perplexities which vexed the new Nation, exhibited a remarkable continuity and definiteness of purpose. Jefferson had been Secretary of State for about four years under Washington, and Hamilton had been a constant adviser. During the eight years of Jefferson's Presidency, Madison was Secretary of State; and, during Madison's two terms as President, James Monroe was Secretary of State for six years. Monroe had served as United States Senator and Governor of Virginia; had been minister to France, to Spain, and to England; had been engaged in the most important diplomatic negotiations; and in the midst of the War of 1812 had also served as Secretary of War *ad interim*. When he became President in 1817, Monroe appointed John Quincy Adams as Secretary of State. Adams had been minister to The Hague and to Portugal under Washington; had been transferred to Prussia by his father, President John Adams, and, under Madison, had been minister to Russia; and, after representing the United States through-

¹ Address by Honorable Charles E. Hughes, Secretary of State of the United States, delivered before the American Bar Association at Minneapolis, Minnesota, August 30, 1923. Washington, Government Printing Office, 1923.

out the difficult negotiations which resulted in the treaty of Ghent, had been made minister to England. Adams served as Secretary of State until the end of Monroe's second term in 1825, when he succeeded Monroe as President. In these close relations and continuity of service there was rare opportunity for the early development of a distinctively American policy reflecting the ripe wisdom of our ablest men.

The Monroe doctrine had its dramatic setting as a striking and carefully formulated announcement, but it was in no sense a departure or something novel or strange engrafted upon American policy. It was the fruition of that policy, and the new definition was in complete accord with principles long cherished and made almost sacred by the lessons of experience. The people of the United States had watched with deep sympathy the long struggle of our southern neighbors for independence. "In contemplating the scenes which distinguish this momentous epoch," said President Madison to the Congress in 1811, "an enlarged philanthropy and enlightened forecast concur in imposing upon the national councils an obligation to take a deep interest in their destinies, to cherish reciprocal sentiments of good will." But, notwithstanding our natural sympathies, we remained neutral in the contest. "All Europe must expect," said President Monroe in 1820, "that the citizens of the United States wish success to the colonies, and all that they can claim, even Spain herself, is that we will maintain an impartial neutrality between the parties. By taking this ground openly and frankly we acquit ourselves to our own consciences, we accommodate with the feelings of our constituents, we render to the colonies all the aid that we can render them, for I am satisfied that had we even joined them in the war we should have done them more harm than good, as we might have drawn all Europe on them, not to speak of the injury we should have done to ourselves."

While Spain maintained a doubtful contest, it was regarded as a civil war, but when that contest became so desperate that Spanish viceroys, governors, and captains-general concluded treaties with the insurgents virtually acknowledging their independence, the United States frankly and unreservedly recognized the fact without, as Secretary Adams said, "making their acknowledgment the price of any favor to themselves, and although at the hazard of incurring the displeasure of Spain." And in this measure, he added with pride, the United States "have taken the lead of the whole civilized world."

The Republic of Colombia was recognized in 1822, the Government of Buenos Aires and the States of Mexico and Chile early in 1823. Deeply interested as we were in the development of republican institutions, the United States did not hesitate because of the political form of government and was the first to recognize the independent Empire of Brazil in May, 1824, and this was followed by the recognition of the Federation of Central American States in August of the same year.

Meanwhile, the Holy Alliance formed by the sovereigns of Austria, Russia, and Prussia had sought to enforce the divine right of kings against the progress of liberal principles. Joined by France, they undertook "to put an end to the system of representative government" and after France had proceeded accordingly to restore the rule of Ferdinand the Seventh in Spain, it was proposed to direct their efforts to the overthrowing of the new governments erected out of the old colonies of Spain in the Western Hemisphere. This was the situation 100 years ago—in August, 1823—when George Canning, British foreign secretary, wrote his celebrated letter to Richard Rush, American minister in London, suggesting a joint declaration, in substance, that the recovery of the colonies by Spain was hopeless; that neither Great Britain nor the United States was aiming at the possession of any portion of these colonies; and that they could not see with indifference any portion of them transferred to any other power. Great Britain, however, had not at that time recognized the new States in Spanish America, and this made a point of distinction. You doubtless have in mind these familiar facts and will remember the correspondence which followed between President Monroe and Jefferson and Madison, whose advice he sought. It was after mature deliberation by the President and his Cabinet, which contained not only John Quincy Adams, Secretary of State, but John C. Calhoun and William Wirt, that the American position was formally stated. It was deemed advisable to make a separate declaration of policy and this was formulated in President Monroe's message of December 2, 1823.

The doctrine is set forth in two paragraphs of this message. The first of these had a genesis distinct from the situation of the former colonies of Spain. It grew out of the question of Russian claims on the northwest coast of North America. The Russian Emperor had issued a ukase in 1821 prohibiting citizens of other nations from navigating and fishing within 100 Italian miles of the northwest

coast of North America from Behring Straits to the fifty-first parallel of north latitude. Protests had followed. In July, 1823, Secretary Adams informed the Russian minister that the United States "should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for any new European colonial establishments." It was in connection with this pretension of Russia that President Monroe, after adverting to the proposal of arranging the respective rights and interests on the northwest coast by amicable negotiations, declared in his message :

In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle, in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European powers.

The other paragraph of President Monroe's message bore upon the situation of our neighbors to the south, as follows :

In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are involved or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are, of necessity, more intimately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. . . .

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and have maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States.

That these statements not only constituted a separate announcement but incorporated a distinctively American policy is manifest. Canning himself, in his letter to Bagot, of January 9, 1824, pointed out that the general agreement between the sentiments of the Gov-

ernments of Great Britain and the United States as to the Spanish colonies was qualified, as I have said, by the most important difference that the United States had acknowledged their independence and the British Government had not. And with the portion of President Monroe's message relating to future colonization, which lay entirely outside the purview of Canning's suggestion, Canning was not at all in sympathy. This proposal, he said, was as new to the British Government as to that of France. The basis of the objection on the part of this Government to future colonization by European powers was found in the fact, as Mr. Adams said later, when President, that "with the exception of the existing European colonies, which it was in nowise intended to disturb, the two continents consisted of several sovereign and independent nations, whose territories covered their whole surface. By this, their independent condition, the United States enjoyed the right of commercial intercourse with every part of their possessions. To attempt the establishment of a colony in those possessions would be to usurp, to the exclusion of others, a commercial intercourse which was the common possession of all."

Not only did American statesmen fear the extension of European colonization but they viewed with deep concern the possibility of the transfer of American territory from one European power to another. In 1811 Congress passed a resolution as to East Florida, stating that "considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce" the United States could not, "without serious inquietude, see any part of the said territory pass into the hands of any foreign power." The declarations in the messages of President Polk in 1845 and 1848 were so closely associated with the doctrine announced by Monroe as to be deemed to fall within the same governing principle. President Polk's reference to "the transfer of dominion and sovereignty" clearly stated opposition to the acquisition of territorial control by any means. And this position has frequently been reiterated by the Government of the United States.

It is not my purpose to review the historical applications of what is called the Monroe doctrine or to attempt to harmonize the various redactions of it. Properly understood, it is opposed (1) to any non-American action encroaching upon the political independence of American States under any guise and (2) to the acquisition in any

manner of the control of additional territory in this hemisphere by any non-American power.

The Monroe doctrine is not a legislative pronouncement; it has been approved by action of Congress, but it does not rest upon any congressional sanction. It has had the implied indorsement of the treaty-making power in the reservations to the two Hague conventions of 1899 and 1907, but it is not defined by treaty and does not draw its force from any international agreement. It is not like a constitutional provision deriving its authority from the fact that it is a part of the organic law transcending and limiting executive and legislative power. It is not a part of international law, maintained by the consent of the civilized powers and alterable only at their will. It is a policy declared by the Executive of the United States and repeated in one form and another by Presidents and Secretaries of State in the conduct of our foreign relations. Its significance lies in the fact that in its essentials, as set forth by President Monroe and as forcibly and repeatedly asserted by our responsible statesmen, it has been for 100 years, and continues to be, an integral part of our national thought and purpose, expressing a profound conviction which even the upheaval caused by the Great War, and our participation in that struggle upon European soil, has not uprooted or fundamentally changed.

Taking the doctrine as it has been, and as it is believed to remain, I desire to comment upon certain points which, as I believe, deserve special emphasis at this time.

First. The Monroe doctrine is not a policy of aggression; it is a policy of self-defense. It was asserted at a time when the danger of foreign aggression in this hemisphere was very real, when the new American States had not yet established a firm basis of independent national life, and we were menaced by threats of Old World powers directed against republican institutions. But the achievements of the century have not altered the scope of the doctrine or changed its basis. It still remains an assertion of the principle of national security. As such, it is obviously not exclusive. Much time has been wasted in the endeavor to find in the Monroe doctrine either justification, or the lack of it, for every governmental declaration or action in relation to other American States. Appropriate action for our defense may always be taken, and our proper influence to promote peace and good will may always be exerted, with the use of good offices to that end, whether or not the particu-

lar exigency comes within the range of the specific declarations which constitute the doctrine.

In 1912 the Senate of the United States adopted a resolution apparently having immediate reference to Magdalena Bay "that when any harbor or other place in the American Continent is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power or control for naval or military purposes." It was explained in debate that this resolution, while allied to the Monroe doctrine, was "not necessarily dependent upon it or growing out of it." It was said to rest "on the principle that every nation has a right to protect its own safety, and that if it feels that the possession by a foreign power for military or naval purposes of any given harbor or place is prejudicial to its safety, it is its duty as well as its right to interfere."

The decision of the question as to what action the United States should take in any exigency arising in this hemisphere is not controlled by the content of the Monroe doctrine, but may always be determined on grounds of international right and national security as freely as if the Monroe doctrine did not exist. The essential character of that doctrine is found in its particularization, in the definite and limited application of the general principle relating to national safety to a particular set of circumstances; that is, in the assertion and maintenance of opposition to the encroachment by non-American powers upon the political independence of American States and to the extension by non-American powers of their control over American territory. And in this pronouncement, as a phase of our exercise of the right of self-defense, there is no hint, much less threat, of aggression on our part. Said President Roosevelt: "It is in no wise intended as hostile to any nation in the Old World. Still less is it intended to give cover to any aggression by any New World power at the expense of any other."

✓Second. As the policy embodied in the Monroe doctrine is distinctively the policy of the United States, the Government of the United States reserves to itself its definition, interpretation, and application. This Government has welcomed the recognition by other governments of the fact and soundness of this policy and of

the appropriateness of its application from time to time. Great powers have signified their acquiescence in it. But the United States has not been disposed to enter into engagements which would have the effect of submitting to any other power or to any concert of powers the determination either of the occasions upon which the principles of the Monroe doctrine shall be invoked or of the measures that shall be taken in giving it effect. This Government has not been willing to make the doctrine or the regulation of its enforcement the subject of treaties with European powers; and, while the United States has been gratified at expressions on the part of other American States of their accord with our Government in its declarations with respect to their independence and at their determination to maintain it, this Government in asserting and pursuing its policy has commonly avoided concerted action to maintain the doctrine, even with the American Republics. As President Wilson observed: "The Monroe doctrine was proclaimed by the United States on her own authority. It always has been maintained and always will be maintained upon her own responsibility."

This implies neither suspicion nor estrangement. It simply means that the United States is asserting a separate national right of self-defense, and that in the exercise of this right it must have an unhampered discretion. As Mr. Root has pithily said: "Since the Monroe doctrine is a declaration based upon the Nation's right of self-protection, it can not be transmuted into a joint or common declaration by American States or any number of them." They have, of course, corresponding rights of self-defense, but the right is individual to each.

Further, in its own declarations the United States has never bound itself to any particular course of conduct in case of action by other powers contrary to the principles announced. In any such event it is free to act according to its conception of the emergency and of its duty. Dana, commenting upon this point in 1866 (in his edition of Wheaton), said: "The declarations do not intimate any course of conduct to be pursued in case of such interpositions, but merely say that they would be 'considered as dangerous to our peace and safety' and as 'the manifestation of an unfriendly disposition toward the United States,' which it would be impossible for us to 'behold with indifference,' thus leaving the Nation to act at all times as its opinion of its policy or duty might require." This is equally true to-day; but it may be added that this carefully preserved free-

dom does not detract from the tenacity with which the doctrine is held but, like the doctrine itself, has been maintained as essential to our independence and security.

Third. The policy of the Monroe doctrine does not infringe upon the independence and sovereignty of other American States. Misconception upon this point is the only disturbing influence in our relations with Latin American States. Great Republics, whose independent sovereignty has been safeguarded by the historic doctrine no longer fear the danger of encroachments and control by European powers, but look with apprehension at the expansion, vast resources, rapidly growing population, and formidable strength of the Republic of the north. They do not feel the need of protection against European powers, and the Monroe doctrine is apt to be conceived, and criticized, as a suggestion of a policy of interference in their internal affairs.

This notion springs from a misunderstanding of the doctrine itself and of our national sentiment and purpose. We have frequently sought to remove it, and we must continue our efforts to render futile the aspersions of the few, here and abroad, misapprehending or distorting American opinion. In speaking last year at Rio de Janeiro on the occasion of the dedication of the site for the American Centennial Monument, I sought to reassert what I believed to be the actual sentiment of the American people in these words: "We shall also be glad to have this monument associated in the thought of our friends with a true appraisal of our North American ideals and aspirations. You, my fellow countrymen of the United States, know full well how sincerely we desire the independence, the unimpaired sovereignty and political integrity, and the constantly increasing prosperity of the peoples of Latin America. We have our domestic problems incident to the expanding life of a free people, but there is no imperialistic sentiment among us to cast even a shadow across the pathway of our progress. We covet no territory; we seek no conquest; the liberty we cherish for ourselves we desire for others; and we assert no rights for ourselves that we do not accord to others. We sincerely desire to see throughout this hemisphere an abiding peace, the reign of justice, and the diffusion of the blessings of a beneficent cooperation. It is this desire which forms the basis of the Pan American sentiment."

The Monroe doctrine does not attempt to establish a protectorate over Latin American States. Certainly, the declaration that inter-

vention by non-American powers encroaching upon the independence of American States will be regarded as dangerous to our own safety, gives no justification for such intervention on our part. If such foreign interposition is deemed menacing to us, and our vigorous determination to oppose it serves to safeguard the independence of American States, they can have no just objection on that score, being the more secure to develop their own life without hindrance. The declaration against acquisition by non-American powers of American territory even by transfer might seem, at first glance, to furnish some basis for objection (although plainly in the interest of the integrity of American States) as an interference with the right of cession—but even this theoretical objection disappears when we consider the ground of the declaration upon this point by the Government of the United States. That ground is found in the recognized right which every State enjoys, and the United States no less than any other, to object to acts done by other powers which threaten its own safety. The United States has all the rights of sovereignty, as well as any other power; we have lost none of our essential rights because we are strong, and other American States have gained none either because of increasing strength or relative weakness. The maxim of the civil law—“*sic utere tuo, ut alienum non laedas*”—may be applied to States where their action threatens the safety of another State.

Mr. Charles Cheney Hyde, in his recent work on international law—a work which will be of lasting credit to the American bar—sums up the matter in saying: “It is subversive of justice among nations that any State should, in the exercise of its own freedom of action, directly endanger the peace and safety of any other which has done no wrong. Upon such an occurrence the State which is menaced is free to act. For the moment it is justified in disregarding the political independence of the aggressor and in so doing it may be guided by the requirements of its own defense. . . . It is not, therefore, the broad ground of self-preservation, but the narrower yet firmer basis of one form of self-preservation, that of self-defense, on which justification rests.” Of the immediate application of this sound principle to the Monroe doctrine Mr. Root has given a complete exposition. Speaking of the right of self-protection, as recognized by international law and as a necessary corollary of independent sovereignty, he says: “It is well understood that the exercise of the right of self-protection may, and frequently does, extend in its effect beyond the limits of the territorial jurisdiction of the State exercising

it. The strongest example probably would be the mobilization of an army by another power immediately across the frontier. Every act done by the other power may be within its own territory. Yet the country threatened by this state of facts is justified in protecting itself by immediate war. The most common exercise of the right of self-protection outside a State's own territory and in time of peace is the interposition of objection to the occupation of territory of points of strategic military or maritime advantage or to indirect accomplishment of this effect by dynastic arrangement." The Monroe doctrine rests "upon the right of every sovereign State to protect itself by preventing a condition of affairs in which it will be too late to protect itself." This right we recognize in our sister Republics of this hemisphere as we claim it for ourselves. American sentiment, it is believed, despite changes of circumstance, still regards the acquisition of additional control of American territory by non-American powers as a menace to our safety, and in asserting and maintaining this view in the interest of our peace and security in the future we not only do not interfere practically with the independence of our sister Republics of the South but we simply assert a right which corresponds to rights which they themselves enjoy, and hence even in theory this assertion does not infringe upon their sovereignty.

The declaration of our purpose to oppose what is inimical to our safety does not imply an attempt to establish a protectorate any more than a similar assertion by any one of the great southern Republics of opposition to conduct on the part of any of the others endangering its security would aim at the establishment of a protectorate. I utterly disclaim, as unwarranted, the observations which occasionally have been made implying a claim on our part to superintend the affairs of our sister Republics, to assert an overlordship, to consider the spread of our authority beyond our own domain as the aim of our policy, and to make our power the test of right in this hemisphere. I oppose all such misconceived and unsound assertions or intimations. They do not express our national purpose; they belie our sincere friendship; they are false to the fundamental principles of our institutions and of our foreign policy which has sought to reflect, with rare exceptions, the ideals of liberty; they menace us by stimulating a distrust which has no real foundation. They find no sanction whatever in the Monroe doctrine. There is room in this hemisphere, without danger of collision, for the complete

recognition of that doctrine and the independent sovereignty of the Latin American Republics.

Fourth. There are, indeed, modern conditions and recent events which can not fail to engage our attention. We have grown rich and powerful, but we have not outgrown the necessity, in justice to ourselves and without injustice to others, of safeguarding our future peace and security. By building the Panama Canal we have not only established a new and convenient highway of commerce but we have created new exigencies and new conditions of strategy and defense. It is for us to protect that highway. It may also be necessary for us at some time to build another canal between the Atlantic and the Pacific Oceans and to protect that. I believe that the sentiment of the American people is practically unanimous that in the interest of our national safety we could not yield to any foreign power the control of the Panama Canal, or the approaches to it, or the obtaining of any position which would interfere with our right of protection or would menace the freedom of our communications.

So far as the region of the Caribbean Sea is concerned, it may be said that if we had no Monroe doctrine we should have to create one. And this is not to imply any limitation on the scope of the doctrine, as originally proclaimed and as still maintained, but simply to indicate that new occasions require new applications of an old principle which remains completely effective. What has taken place of late years in the region of the Caribbean has given rise to much confusion of thought and misapprehension of purpose. As I have said, the Monroe doctrine as a particular declaration in no way exhausts American right or policy; the United States has rights and obligations which that doctrine does not define. And in the unsettled condition of certain countries in the region of the Caribbean it has been necessary to assert these rights and obligations as well as the limited principles of the Monroe doctrine.

In 1898, the United States intervened in Cuba in the cause of humanity and because of a condition of affairs at our very door so injurious to our interests that it had become intolerable. In view of the distress, miseries, and barbarities that existed, our action, as John Bassett Moore has said, "was analogous to what is known in private law as the abatement of a nuisance." In the settlement that followed the establishment of Cuban independence Cuba agreed "that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a govern-

ment adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba." Cuba also agreed not to enter into any treaty with any foreign power which would tend to impair her independence, "nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise lodgment in or control of any portion of said island." There were also restrictive provisions as to the contracting of debts. The United States thus holds a special position in relation to Cuba, but it should be pointed out and clearly understood that, while in view of this position we have acted as the friendly adviser of the Cuban Government, our action has been solely for the purpose of aiding in maintaining the independence and stability of Cuba and thus not to create but to preclude the necessity of intervention under the treaty by encouraging the Cuban people to eliminate waste and corruption, to reduce public expenses to the normal requirements of government, and to secure the just and efficient administration which will safeguard the desired independence of Cuba and promote the prosperity which, with their abundant natural resources, the Cuban people are entitled to enjoy.

It is impossible for me to review in any detail the events which led to the occupation of Santo Domingo and Haiti. In Santo Domingo, during the 40 years prior to 1907, there had been 16 revolutionary movements, and complete political and economic demoralization had resulted. The total debts of the Dominican Republic amounted to about \$20,000,000, and in 1907 a convention was concluded between the Governments of the United States and Santo Domingo for the issue of bonds to that amount and providing for the appointment by the President of the United States of a general receiver of customs. The Government of the United States agreed to give to the general receiver and his assistants such protection as it might find to be requisite for the performance of their duties. While this arrangement was most advantageous to Santo Domingo and for a time there was an improvement in conditions, there was a recurrence of revolutionary disturbances and the Dominican Government failed to observe the terms of the convention. When civil war was imminent the United States landed naval forces to prevent further bloodshed and to protect the lives of foreigners. A military

government was established in 1916 and until recent months was continued in the interest of public order.

This occupation was due to the demonstration, to use the phrase of President Roosevelt, of an impotence resulting in the lessening of the ties of civilized society and thus requiring intervention. But the point that I desire to make is that instead of using this opportunity, as has falsely been charged, to establish a permanent control of Santo Domingo, the Government of the United States has been solicitous to arrange for the termination of the occupation and the withdrawal of its forces and has devoted its endeavors, earnestly and effectively, to the assistance of the Dominican people in establishing a sound basis for an independent government. Accordingly, as a result of conversations with prominent Dominican representatives, a formal agreement was reached on June 30, 1922, upon a plan of evacuation. The plan provided for a provisional government which was to take over the executive departments from the American military government, the American officials remaining in Santo Domingo only for the purpose of lending their assistance to the respective secretaries of the provisional government. The military forces of the United States were to be concentrated at not more than three places, and order was to be maintained during the tenure of office of the provisional government by the Dominican national police under the orders of the provisional government.

The provisional President was to promulgate legislation regarding the holding of elections and the reorganization of the government of the provinces and communes; he was also to convene the primary assemblies in accordance with the provision of the new election laws. Electoral colleges were to be elected and were in turn to elect the members of the Senate and of the Chamber of Deputies and to present the lists of the members of the judiciary to be submitted to the Senate. Provision was made for amendments to the constitution, the negotiation of an appropriate convention of ratification, and the establishment of a permanent government, whereupon the military forces of the United States would be withdrawn. On October 21, 1922, the provisional President was accordingly inaugurated. Last March the new electoral law was promulgated. The provisional government has also promulgated legislation providing for the reorganization of the provincial and municipal governments of the Republic. It is expected that elections in which the authorities of the United States will not intervene will be held about the

middle of September and in due course the permanent government will be established. The United States intervened in the interest of peace and order and when these are assured it is not only willing but glad to withdraw.

In order to understand conditions in Haiti it should be recalled that since the Republic of Haiti gained its independence it has been the scene of almost continuous revolution. This is true of its recent history as well as of the earlier years. From 1886, when General Salomon completed his full presidential term, until 1915 every President except one had been overthrown by revolution, some escaping to near-by islands, others being assassinated. As the result of these successive revolutions the Republic, by the summer of 1915, had reached a stage of exhaustion and devastation more complete than at any prior period of its existence. It is unnecessary to review the causes of these revolutions; it is sufficient for the present purpose to state the fact. Between the years 1910 and 1915 the foreign relations of the Haitian Government became seriously involved because of the pressure brought to bear by the Governments of France, Great Britain, Germany, Italy, and the United States to obtain a settlement of the claims of their nationals. Because of the unwillingness or inability of the Haitian people to settle these claims in a satisfactory manner there were armed demonstrations; armed forces of foreign powers had been landed at various points in Haiti on the ground that lives and property of their nationals were in danger.

In 1914 and 1915 there were continuous disturbances, which culminated in the latter year in the murder by armed mobs of ex-President Oreste Zamor and President Sam, the latter having been dragged by a mob from the French Legation, where he had taken refuge, and torn to pieces in the street. Following this the members of the cabinet took refuge in foreign legations or escaped from the country, so that there was no executive to assume direction of affairs. It was in this situation that on July 28, 1915, the U. S. S. *Washington* arrived and it was deemed necessary to land American forces. Within a short time the legislative chamber assembled and, under the protection of the United States marines, elected Sudre Dartiguenave, president of the former Senate, President of the Republic. In connection with the immediate exigency of preserving peace, it appeared essential from a humanitarian standpoint to aid the Haitian people to free themselves from the hopeless conditions which continued revolutions and a policy of despotic militarism had

produced. In a large part of the island agriculture had practically been abandoned and in the theater of the revolutionary disturbances the country was devastated. A treaty was negotiated by our Government with President Dartiguenave shortly after his election to "aid the Haitian people in the proper and efficient development of its agricultural, mineral, and commercial resources and in the establishment of the finances of Haiti on a firm and solid basis." Provision was made for the appointment by the President of Haiti, upon the nomination of the President of the United States, of a general receiver and the necessary aids for the collection of customs dues, and of a financial adviser, who was to devise an adequate system of public accounting, aid in increasing the revenues and adjusting them to the expenses, and otherwise make recommendations in relation to economic requirements.

Conditions in Haiti have not yet permitted the withdrawal of American forces, as there is general agreement that such a withdrawal would be the occasion for revolution and bloodshed. The Government of the United States desires to effect a withdrawal as soon as this can be done consistently with the obligations it has assumed. The Government is endeavoring to improve administration and to aid in establishing the basis for a sound and stable local government. Brig. Gen. John H. Russell, who was sent to Haiti in the early part of 1922 as American High Commissioner, has steadily sought to bring about improved political and financial conditions, and his endeavors have already met with almost unhopedor success. General Russell has worked in the closest cooperation with the local government. Peace and order have been established and there is safety of lives and property. The great mass of Haitians, who formerly had been completely at the mercy of a rapacious military oligarchy, which had exploited it to such an extent that there was no incentive, but rather a real danger, in producing or in owning anything beyond the merest necessities, are now free to engage in profitable activities. Graft and embezzlement have been eliminated by the customs service and the currency has been stabilized. The public debt has been appreciably reduced. Last October this Government was instrumental in obtaining a loan of \$16,000,000 to Haiti upon favorable terms, and this has permitted the undertaking of numerous constructive works. A claims commission has been set up in Port au Prince, which is disposing of foreign and internal claims for debts.

The practice of financing the Government by private and public loans at ruinous terms has been discontinued and expenses have been kept within the bounds of the revenue of the country. Although the public debt has been decreased, large sums have been expended on constructive public works. Telegraph and telephone systems have been repaired and new construction has been extended to all the principal towns of the interior. Roads have been reconstructed and new construction has been undertaken so far as the financial resources of the country permit. A modern efficient sanitation system has been installed in the seaboard cities and in some of the large interior towns. I can not attempt to enumerate all the improvements that have been attempted. They are gratifying, but they are not yet adequate and much remains to be done. An American legal adviser in Haiti is now endeavoring to establish a basis for a sound judicial system. Agricultural surveys are being undertaken in order that all practicable assistance may be given for the development of the resources of the island. The Government of the United States is seeking to make its relation to Haiti beneficial to the Haitian people; it has no other aim but to establish peace and stability. It does not seek to acquire or to control the territory of Haiti and it will welcome the day when it can leave Haiti with the reasonable assurance that the Haitians will be able to maintain an independent government competent to keep order and discharge its international obligations.

The disturbed conditions and revolutionary tendencies in some of the Central American Republics have given great solicitude to the Government of the United States, and its efforts have been directed to the promotion of tranquillity and stability. This is in the interest of the maintenance of the unimpaired integrity and sovereignty of these Republics. The conference of 1907 and the treaties which were then concluded constituted an important forward step, but the objects sought were not attained, and it recently became advisable to call another conference. Accordingly the Government of the United States tendered an invitation to the Governments of the Central American Republics, which they accepted, and the conference met in Washington last December. Delegates of our Government participated. The result was the conclusion of a general treaty of peace and amity and a series of conventions, among them being conventions for the establishment of an international Central American tribunal, for the limitation of armaments, for permanent Central American commissions, for extradition, for the preparation of

projects of electoral legislation, for the unification of protective laws for workmen and laborers, for the establishment of stations for agricultural experiments and animal industries, and for the reciprocal exchange of Central American students. The treaty of peace and amity contained those provisions of a similar treaty of 1907 which have been found to be of practical value and additional provisions which the conference believed would promote the objects in view.

Reiterating the desire to maintain free institutions and to promote stability, the treaty provides that the Governments of the Central American Republics will not recognize any other Government which may come into power in any of the Republics through a coup d'état or a revolution against a recognized Government so long as the freely elected representatives of the people have not constitutionally re-organized the country. This treaty and the conventions endeavor not only to assure amity but to build upon this foundation in each of the Republics an improved civic structure. In opening the conference it was my privilege to assure the delegates of the helpful spirit of cooperation which they would find in Washington. "The Government of the United States," I said, "has no ambition to gratify at your expense, no policy which runs counter to your national aspirations, and no purpose save to promote the interests of peace and to assist you, in such manner as you may welcome, to solve your problems to your own proper advantage. The interest of the United States is found in the peace of this hemisphere and in the conservation of your interests."

The difficulties of these Republics, and of other countries in a similar condition, are due in no small measure to the lack of the development of their resources and to the absence of needed facilities of intercourse, such as highways and railroads. It is idle to expect stability unless it has a basis in education, in improved methods of agriculture and industry, and in the provision of instrumentalities of communication which give opportunities for reasonable economic satisfactions. Progress in these directions, however, can not be achieved without the investment of capital, and this must be supplied from the outside until sufficient available wealth has been produced within these countries to permit their people to meet their own exigencies. It is not the policy of our Government to make loans to other governments and the needed capital, if it is to be supplied at all, must be furnished by private organizations. This has given rise to much misunderstanding and baseless criticism. We have no desire

to exploit other peoples; on the other hand, it is surely not the policy of this Government to stand in the way of the improvement of their condition. It is an inescapable fact, however, that private capital is not obtainable unless investment is reasonably secure and returns are commensurate with risks. There are always abundant opportunities for financial enterprise in our own country and in other parts of the world on these terms. We thus have the difficulty that the instability of governments creates a hazard which private capital refuses to ignore, while that very instability can be cured only by the economic betterment which private capital alone can make possible.

It must also be remembered that the Government of the United States has no power to compel its citizens to lend money or to fix the terms of their investment. Nor is it in a position to control the action of other governments who desire to borrow. In this situation our Government endeavors by friendly advice to throw its influence against unfairness and imposition, and it has at times, with the consent of the parties—indeed, at their instance—agreed to a measure of supervision in the maintenance of security for loans which otherwise would have been denied or would have been made only at oppressive rates. But anyone who supposes that this helpful contact and friendly relation are either sought or used by the Government of the United States for purposes of aggression or with the intention of dominating the affairs of these countries or their governments has slight knowledge of the aims and actual endeavors of the Department of State. We are not seeking to extend this relation but to limit it; we are aiming not to exploit but to aid; not to subvert, but to help in laying the foundations for sound, stable, and independent government. Our interest does not lie in controlling foreign peoples; that would be a policy of mischief and disaster. Our interest is in having prosperous, peaceful, and law-abiding neighbors with whom we can cooperate to mutual advantage.

Fifth. It is apparent that the Monroe doctrine does not stand in the way of Pan American cooperation; rather it affords the necessary foundation for that cooperation in the independence and security of American States. The basis of Pan Americanism is found in the principles of the Farewell Address. There was striking prophecy in the hope expressed by Jefferson that we would recognize "the advantages of a cordial fraternalization among all the American nations" and what he described as "the importance of their coalescing in an American system of policy." That system is not hostile to Europe;

it simply conserves the opportunity for the cultivation of the interests which are distinctively American.

With the aim of furthering this Pan American cooperation there have been five Pan American conferences, the last of which was recently held in Santiago. The best results of these conferences are not to be found in any formal acts or statements but in the generation of helpful and friendly influences which draw peoples together through a better mutual understanding. There is always a tendency in connection with this cooperation to emphasize plans and purposes of a political nature, and if these are not successfully developed there is a disposition to minimize achievement. The most fruitful work, however, is generally found along less sensational lines where there is real progress in facilitating the interchanges of commerce and culture. Important as are these general Pan American conferences, I should give large place to the utility of special conferences to meet specific needs. Thus, one of the most promising results of the recent Santiago conference was in the provision for special conferences on the standardization of specifications of raw materials, tools, machinery, supplies, and other merchandise in order to promote economy in production and distribution; on public health; on eugenics and homoculture; on the codification of international law; on education; on electrical communications; on the uniformity of communications statistics; on automobile highways; and, last but not least, on the dissemination of news.

The essential condition of cooperation is peace, and this Government is constant in its endeavors to promote peace in this hemisphere by using its good offices, whenever they are welcome, in eliminating the causes of strife, and in making provision for the settlement of disputes that can not be adjusted by diplomacy. Almost all the boundary disputes in Latin America have been settled, and those that remain are in process of adjustment. Especially gratifying was the enlightened action of the Governments of Chile and Peru in their recent agreement concluded at Washington for the arbitration by the President of the United States of certain questions growing out of the treaty of Ancon with respect to the territory of Tacna-Arica. Such efforts are not in strictness an application of the Monroe doctrine, but they are facilitated by its recognition.

Finally, it should be observed that the Monroe doctrine is not an obstacle to a wider international cooperation, beyond the limits of Pan American aims and interests, whenever that cooperation is congenial to American institutions. From the foundation of the

Government we have sought to promote the peaceful settlement of international controversies. Prior to the first peace conference at The Hague in 1899 the United States had participated in 57 arbitrations. The United States became a party to the two Hague conventions for establishment of the Permanent Court of Arbitration, at the same time safeguarding its historic position by stating, as a part of the ratification, that nothing contained in these conventions should "be so construed as to require the United States of America to depart from its traditional policy of not entering upon, interfering with, or entangling itself in the political questions or internal administration of any foreign States" or "be construed to imply relinquishment by the United States of its traditional attitude toward purely American questions."

It should further be observed that the establishment of a permanent court of international justice, which might make available the facilities of a permanent tribunal (instead of the less satisfactory provision of temporary tribunals of arbitration) to Governments desiring to submit their controversies to it, has been a distinct feature of the policy of the Government of the United States for many years. We are also interested in measures of conciliation and in the facilities of conference. Our desire to cooperate in maintaining peaceful relations, in removing the misapprehensions and suspicion which are the most fruitful causes of conflict, in relieving the burdens of injurious and unnecessary competition in armament, in maintaining the declared principles of fair and equal opportunity, is sufficiently attested by the treaties which were concluded at the recent Washington conference. Moreover, aside from that obvious field of international cooperation in which we have postal conventions, rules of navigation, protection of submarine cables, regulation of fisheries, preservation of rights of property, copyrights and trademarks, etc., our people have always and earnestly desired to join in the humanitarian endeavor of the nations for the elimination of common ills, the prevention of the spread of disease, and the restriction or prevention of abuses with which it is impracticable to deal effectively by the separate action of governments. This was shown many years ago when we joined in international conventions for the purpose of putting an end to the African slave trade, and it has had very definite illustration of late in our endeavor to make international action effective in controlling the pernicious distribution of narcotic drugs.

Our attitude is one of independence, not of isolation. Our people are still intent upon abstaining from participation in the political strife of Europe. They are not disposed to commit this Government in advance to the use of its power in unknown contingencies, preferring to reserve freedom of action in the confidence of our ability and readiness to respond to every future call of duty. They have no desire to put their power in pledge, but they do not shirk cooperation with other nations whenever there is a sound basis for it and a consciousness of community of interest and aim. Cooperation is not dictation, and it is not partisanship. On our part it must be the cooperation of a free people drawing their strength from many racial stocks, and a cooperation that is made possible by a preponderant sentiment permitting governmental action under a system which denies all exercise of autocratic power. It will be the cooperation of a people of liberal ideals, deeply concerned with the maintenance of peace and interested in all measures which find support in the common sense of the country as being practicable and well designed to foster common interests.

To such aims the Monroe doctrine is not opposed, and with the passing of 100 years it remains a cherished policy, inimical to no just interest and deemed to be vitally related to our own safety and to the peaceful progress of the peoples of this hemisphere.

THE CENTENARY OF THE MONROE DOCTRINE ¹

Foreign policies are not built upon abstractions. They are the result of practical conceptions of national interest arising from some immediate exigency or standing out vividly in historical perspective. When long maintained, they express the hopes and fears, the aims of security or aggrandizement, which have become dominant in the national consciousness and thus transcend party divisions and make negligible such opposition as may come from particular groups. They inevitably control the machinery of international accord which works only within the narrow field not closed by divergent national ambitions or as interest yields to apprehension or obtains compensation through give and take. Statesmen who carry the burdens of empire do not for a moment lose sight of imperial purposes and

¹ The following address was delivered by Secretary Hughes at the meeting held under the auspices of the American Academy of Political and Social Science and the Philadelphia Forum at Philadelphia, November 30, 1923, to celebrate the centenary of the Monroe Doctrine. Washington, Government Printing Office, 1923.

requirements. When a balance of power is deemed essential to national security you can not conjure it away by any form of words. The best of diplomatic instruments, the conference, has no magical potency to dispose of these strongly held national convictions.

We are fortunate in our detachment from many difficulties and dangers which oppress the imagination of other peoples, but we should resist the tendency to indulge in self-praise. When we have a clear sense of our own interests, we are just as inflexible as others. The great advantage we have had is that, coming to independence in a world afflicted with the long rivalries of military powers, the traditions of conquest, and the dreams of empire, we sought simply the assurance of freedom, and our national instinct has been opposed to aggression and intervention. The Monroe Doctrine was the embodiment of this sentiment. . . Through the one hundred years since its announcement, despite the strife of parties and opposing convictions as to domestic issues, it has been a unifying principle, contributing not only to our security and peace but to our dignity and prestige as a Power capable of thus asserting and maintaining a vigorous independent policy. The attitude of American statesmen toward this Doctrine, with few exceptions, has been that expressed in the familiar words of Daniel Webster: "I look on the message of December, 1823, as forming a bright page in our history. I will neither help to erase it nor tear it out; nor shall it be by any act of mine blurred or blotted."

The anxiety to escape the toils of European politics and intrigues was early manifested. John Adams in 1782 wrote in his diary, "'You are afraid,' says Mr. Oswald to-day, 'of being made the tools of the Powers of Europe.' 'Indeed I am,' says I. 'What Powers?' said he. 'All of them,' said I. 'It is obvious that all the Powers of Europe will be continuously maneuvering with us to work us into their real or imaginary balances of power. . . . Indeed it is not surprising; for we shall very often, if not always, be able to turn the scale. But I think it ought to be our rule not to meddle.'" We were not isolated and could not be. The European Powers were at our doors; their conflicts had embroiled the New World from the beginning. There was no thought of escaping constant dealings with these Powers, whose rivalries menaced our peace, but upon what basis should these dealings be had? We had the choice of seeking the protection of alliances, or the more difficult course of maintaining independence. With splendid courage no less than with profound

wisdom the Fathers chose the latter course at once conserving our safety and enhancing our influence. It was the choice of an infant nation, but of a nation conscious of the promise of its influence as a World Power.

This was the admonition of the Farewell Address: "Observe good faith and justice toward all Nations. Cultivate peace and harmony with all. . . . The great rule of conduct for us, in regard to foreign Nations, is, in extending our commercial relations, and have with them as little *Political* connexion as possible. . . . Europe has a set of primary interests which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concern. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships, or enmities. . . . Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humour, or caprice?"

As our paramount interest dictated abstention from participation in European politics, so it also required that the machinations of foreign Powers should not have increased opportunity here, and when the independence achieved by the Spanish colonies in this hemisphere was threatened by the imposing combination of European sovereigns, styled the Holy Alliance, this correlative policy found emphatic expression in Monroe's message: "We should consider," said he, "any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered and shall not interfere. But with the governments who have declared their independence and have maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition toward the United States." And on the same occasion, in response to Russian pretensions, it was announced with equal emphasis "that the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European Powers."

These are the two points of the Monroe Doctrine. The most significant circumstance connected with the form of the declaration of the nonintervention principle was that it was made by the United States alone. The British Foreign Secretary, George Canning, had proposed a joint declaration with Great Britain, and this was favored by both Jefferson and Madison. But, with the advice of John Quincy Adams and in view of the fact that Great Britain had not recognized the new Republics, Monroe decided upon a separate declaration on our sole responsibility and joined with it the statement of the non-colonization principle, which not only had not been suggested by Canning, but was wholly opposed to his views.

It is not my intention to repeat what I have said in a recent address with respect to the Doctrine but rather, restating its true content, to inquire as to its place in the scheme of the foreign policies of the United States as a World Power in the Twentieth Century with respect to the region of the Pacific Ocean and the Far East, to Europe, and to this hemisphere.

Certainly, after one hundred years, there should be no hesitancy in defining what we mean by the Monroe Doctrine and this, despite those critics who seek to disparage it by professing to be unable to understand it, and those prophets of a new era who would thrust it aside, and those zealots who would use it as a convenient warrant for any sort of action they may favor in this part of the world, is, after all, not a very difficult task. In the original declaration there were, as I have said, two points stating the opposition of this Government, first, to any action by European Powers to extend their system to this hemisphere, or to any interposition by them for the purpose of oppressing or controlling the destiny of the new American Republics, and, second, to the future colonization by European Powers of the American continents. In all that had been said or done since the declaration of Monroe it can be regarded as modified in only two particulars. What was said with Europe exclusively in view must be deemed equally applicable to all non-American Powers; and the opposition to the extension of colonization was not dependent upon the particular method of securing territorial control, and, at least since Polk's time, may be deemed to embrace opposition to acquisition of additional territory through transfer of dominion or sovereignty. Neither of these modifications change the Doctrine in its essentials and it may thus be summarized, as I have elsewhere stated, as being opposed (1) to any non-American action encroaching

upon the political independence of American States under any guise, and (2) to the acquisition in any manner of the control of additional territory in this hemisphere by any non-American Power. How does the Doctrine thus defined stand in the present scheme of American policy? And by policy I do not mean the proposals of any party or group, but those principles and aims which have been supported either by definite action of the Executive within his authority or of the treaty-making power, or by a sentiment so preponderant and long cherished that it may be called the opinion of the country. The changes of one hundred years in population, extent of territory, and developed resources, and our military potency are obvious enough and need no recital. But have the changes altered our policy or has it become inconsistent with the Doctrine?

In relation to the Pacific Ocean and the Far East we have developed the policies of (1) the Open Door, (2) the maintenance of the integrity of China, (3) cooperation with other Powers in the declaration of common principles, (4) cooperation with other Powers by conference and consultation in the interests of peace, (5) limitation of naval armament, and (6) the limitation of fortifications and naval bases.

The *Empress of China*, fitted out by Robert Morris and others, sailed to Canton in 1784, and by the year 1805 thirty-seven American vessels cleared for that port. In 1843 Daniel Webster, Secretary of State, instructing Caleb Cushing as Envoy Extraordinary and Minister Plenipotentiary to China, said: "You will signify, in decided terms and a positive manner, that the Government of the United States would find it impossible to remain on terms of friendship and regard with the Emperor if greater privileges or commercial facilities should be allowed to the subjects of any other Government than should be granted to citizens of the United States." Most-favored-nation treatment was secured in the Treaty of 1844, with respect to which Caleb Cushing said: "Thus, whatever progress either Government makes in opening this vast Empire to the influence of foreign commerce is for the common good of each other and of all Christendom." Thus was laid the foundation for the policy of the Open Door, or equality of opportunity. When the great Powers took advantage of the weakness of China to obtain spheres of interest in order to facilitate exploitation and to restrict free commercial intercourse, this Government, through Secretary Hay, sought to establish by international accord the principle of the

Open Door, and with this to obtain the recognition and preservation of the territorial and administrative integrity of China. Despite many obstacles, caused by the disregard of professions and the desire to take advantage of the opportunities afforded by the progressive disintegration of China, this Government continued earnestly to press these principles, and at the recent Washington Conference the postulates of American policy were taken out of the unsatisfactory form of diplomatic notes and, with a more adequate and explicit statement, were incorporated into a solemn international engagement, signed by the nine Powers especially interested in the Far East. This Treaty has been ratified by all but one of these Powers, and it is hoped that ratification by that Power will not be long deferred.

While the diplomatic exchanges between the Powers, in which the Open Door policy was fully accepted, were not, of course, satisfactory and later became largely ineffective, they were so strongly supported by public opinion in this country as to make it clear that while we eschewed alliances we were ready to join in declarations of common principles where this method of cooperation would supply the best means of attaining the desired object. This was again illustrated by the resolutions adopted at the Washington Conference.

Again, through the Four-Power Treaty between the United States, Great Britain, France, and Japan, which is to continue for 10 years and thereafter subject to termination on 12 month's notice, we have established another form of cooperation with regard to insular possessions and insular dominions in the region of the Pacific Ocean. It is provided that if any controversy arises between any of the parties out of any Pacific question which can not be settled by diplomacy, with regard to their rights in relation to these possessions and dominions, they shall invite the other parties to the Treaty to a joint conference to which the whole subject will be referred for consideration and adjustment. Also, if the rights sought to be safeguarded by the Treaty are threatened by the aggressive action of any other Power, the parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation. In giving assent to this Treaty the United States Senate made the reservation, which in no sense departed from the intent of the Treaty, that it should not be regarded as a commitment to armed force, or alliance, or obligation to join in

any defense. Thus we have definitely adopted the policy for the protection of our insular possessions, and for the preservation of peace in the Pacific region, of conference and consultation with other Powers.

Limitation of naval armament has manifest relation to our policies in the region of the Pacific Ocean and the Far East, but it has, of course, a much wider scope and expresses our strong desire to avoid extravagant outlays and the competition in armament which is provocative of war. In the proposals which our Government made to this end we were carrying forward an American principle which as early as 1794 Alexander Hamilton recommended for application to the Great Lakes and which was so applied in the Rush-Bagot Agreement of 1817. It had been the desire of our Government that the project of reduction or limitation of armament which failed in the First Conference at The Hague in 1899 should be taken up in the Second Conference in 1907. And we then considered this matter, and we still consider it, so far as land armament is concerned, as "unfinished business," to use the phrase found in the instructions to our delegates at the Second Hague Conference.

Further, in support of this policy we were willing to agree to certain defined limitations as to fortifications and naval bases in the Pacific Ocean, maintaining for 15 years, or until the end of the year 1936, and thereafter subject to termination on two year's notice, the *status quo* with respect to fortifications or naval bases in the Philippines and Guam. This was sufficiently emphatic with respect to our nonaggressive and peaceful intentions in the East, and yet it merely confirmed the policy of Congress, which has never had the intention of fortifying either the Philippines or Guam. As indicative of this phase of our policy with respect to these possessions, which we acquired as the result of the Spanish War, let me repeat what Senator Lodge said in the course of the debate in the Senate on the recent naval treaty. With respect to Guam, he said: "We took that island in the Spanish-American War. . . . We have had so little interest in the island that we have never passed a line of legislation in regard to it or to provide for its government or to make any provision about it at all. . . . We have never fortified it, and nobody would vote to spend money in fortifying it." With respect to the Philippines, he said: "The Philippines will be in exactly the condition in which they now are and have been ever since they were taken. . . . We shall never fortify them. It

would cost hundreds of millions of dollars to fortify them. . . . We are not going to do it."

How do these policies in the region of the Pacific Ocean square with the Monroe Doctrine? Is there any inconsistency? Has our entrance into this region as a World Power of first rank led us to violate our traditions? Manifestly not. We fought the Spanish War to put an end to an intolerable nuisance at our very door, and to establish and make secure the independence of Cuba, not to override it. And as a consequence of victory in that war we acquired distant possessions, but not with the purpose of making these a basis for encroaching upon the territory or interfering with the political independence of the peoples of the eastern nations. In safeguarding the integrity of China, in securing equality of commercial opportunity, in endeavoring to forestall efforts at exploitation and aggression, in seeking to remove suspicion and allay apprehensions, and in enlarging through assured tranquillity the opportunities of peaceful commerce, we have been pursuing under different conditions the same aims of independence, security, and peace which determined the declaration of Monroe.

With respect to Europe, our policy has continued to be in the phrase of Jefferson: "Peace, commerce, and honest friendship with all nations, entangling alliances with none." We entered the Great War, not violating our tradition, for the cause of liberty itself was at stake. We have emerged from the war with the same general aims that we had before we went in. Though victors, we have sought neither territory nor general reparations. Our people have borne their own burdens and in large part we are bearing the burdens of others. We are not seeking to dictate to Europe or to deprive anyone of rights. But we do desire peace and economic recuperation in Europe. We contributed our arms in the interest of liberty and to destroy the menace of an autocratic power, but not to secure the economic prostration of a vanquished people. We have the deepest sympathy with the people of France; we warmly cherish their ancient friendship. We desire to see France prosperous and secure, with her wounds healed and her just demands satisfied. We desire to see a united and prosperous Germany, with a will to peace, making amends to the full extent of her power and obtaining the appropriate rewards of her labor and skill. We wish to see an end to the waste of military efforts and the easing of the burdens of unproductive expenditures. We wish to see the fires of hatred quenched. It is because of these

earnest desires that we have hoped, as was stated in the recent communication to the British Government, that the solution of the present grave problems would be sought in fair and comprehensive inquiry in which all interested might participate and which would be inspired by the determination to find means to restore the productive activities through which alone reparations can be paid, and to give opportunity for the reasonable contentment and amicable relations of industrious peoples through which alone peace and security can be assured.

The bitter controversy which followed the war showed with what tenacity we still hold to the principle of not meddling in the political strife of Europe. It is true that the spread of democratic ideas and the resulting change in Governments have removed the danger of organized effort to extend to this continent the European "political system" of 100 years ago. ✓ But Europe still has "a set of primary interests" which are not ours. As Washington said: "She must be engaged in political controversies the causes of which are essentially foreign to our concern." Unity in war did not avail to change the divergent national aims and policies in peace. It is not that our interests may not be affected injuriously by such controversies. That was true in the days of Washington, Jefferson, and Monroe; indeed the effect of changes and developments is that we are far better able to bear such injuries to-day than we were then, as is sufficiently illustrated by our sufferings during the Napoleonic Wars. But it was, despite such injuries, the abiding conviction that we had better bear these ills than suffer the greater evils which would follow the sacrifice of our independent position. We still hold to that view. The preponderant thought among us undoubtedly is that our influence would not be increased by pooling it. The influence that is due to our detachment and impartiality could not long be maintained if we should substitute the rôle of a partisan in European quarrels, and the constant efforts of propagandists have brought vividly before us the fact that where the direct American interest is not clearly perceived foreign controversies afford abundant opportunity for the play among us of intense racial feeling. What was true in Monroe's day is even more true to-day in view of our vast population drawn from many countries and reproducing here the conflicts of European interests. It is not to our interest to adopt a policy by which we would create or intensify divisions at home without healing divisions abroad. And it must be always remembered that the moral force of our expressions

depends upon the degree of the preponderance of the sentiment behind them. Each group intent upon the assertion of its own demands forgets the equal insistence of others. But when all is said, there is still no doubt of our desire to be helpful in every practicable way consistent with our independence and general aims. We have poured out our wealth without stint both in charity and investment and the important productive enterprises undertaken abroad since the war have been supported by American capital. The difficulties which beset Europe have their causes within Europe and not in any act or policy of ours.

Generally, our policies toward Europe may thus be summarized: We are still opposed to alliances. We refuse to commit ourselves in advance with respect to the employment of the power of the United States in unknown contingencies. We reserve our judgment to act upon occasion as our sense of duty permits. We are opposed to discriminations against our nationals. We ask fair and equal opportunities in mandated territories as they were acquired by the Allies through our aid. We desire to cooperate according to our historic policy in the peaceful settlement of international disputes which embraces the policy of judicial settlement of such questions as are justiciable. It is our purpose to cooperate in those varied humanitarian efforts which aim to minimize or prevent those evils which can be met adequately only by community of action. For example, we are at this moment leading in the effort to put a stop to the abuse of narcotic drugs. We strongly support, as our recent action has shown, international conferences where the conditions are such that they afford an instrumentality for the adjustment of differences and the formulation of useful conventions. We seek to aid in the reestablishment of sound economic conditions. In short, our cooperation as an independent State in the furtherance of the aims of peace and justice has always been and still is a distinctive feature of our policy.

There is plainly no inconsistency between these policies and the ✓
Monroe Doctrine. Our position as a World Power has not affected it. The question is whether that Doctrine is still important under changed conditions. The answer must be in the affirmative. The fact that the intervention of non-American Powers in this hemisphere is not threatened at this moment can not be deemed to be controlling. The future holds infinite possibilities, and the Doctrine remains as an essential policy to be applied wherever any exigency may arise re-

quiring its application. To withdraw it, or to weaken it, would aid no just interest, support no worthy cause, but would simply invite trouble by removing an established safeguard of the peace of the American continents.

While retaining the Doctrine, we should make every effort to avoid its being misunderstood. If its import has been obscure, it is largely because it has often been treated as though it were our sole policy in this hemisphere, and as though every action bearing upon our relation to our sister Republics must be referred to it. Attempts to stretch the Doctrine have made it in some quarters a mystery and in others a cause of offense. Treating the Doctrine as a catch-all has not only given rise to much unnecessary debate but has been harmful to our just influence by arousing fears of latent possibilities of mischief and affording opportunities to those few but busy persons who are constantly seeking to foster a sentiment hostile to this country.

By correct definition of the Doctrine, I do not mean a statement in advance of every application of it. That, of course, as in the case of any principle, would be quite possible. The important thing is the understanding of the principle itself. It should be recognized that the Doctrine is only a phase of American policy in this hemisphere and the other phases of that policy should be made clear. It would not be entirely correct to say that the Doctrine is merely negative, for it is a positive declaration that certain action on the part of non-American Powers in relation to this hemisphere will be regarded as dangerous to our peace and safety and as the manifestation of an unfriendly disposition. But the Doctrine is a principle of exclusion. Both with reference to the declaration as to nonintervention and to that as to extension of territorial control, it aims directly at the exclusion of interposition by non-American Powers. In recognizing these limitations of the Doctrine, we do not detract from its importance; it gains rather than loses by such clarification. The principle of exclusion embodies a policy of self-defense on the part of the United States; it is a policy set up and applied by the United States. While the Monroe Doctrine is thus distinctively a policy of the United States maintained for its own security, it is a policy which has rendered an inestimable service to the American Republics by keeping them free from the intrigues and rivalries of European Powers. The same, or similar, principles might, of course, be set up and applied by any or all of our sister Republics, and it is believed that each of them would be benefited by

having such principles as a definite part of her foreign policy. We have always welcomed declarations by other American States as to their determination thus to safeguard their independence. We have also been gratified at the acquiescence in these principles by European Powers.

But fully recognizing the value of the Doctrine, it still remains true that it simply states a principle of opposition to action by non-American Powers. It aims to leave the American continents free from the described interposition, but it does not attempt to define in other respects our policies within this hemisphere. Our affirmative policies relating to our own conduct in relation to other American States, and not merely our policy with respect to the conduct of non-American Powers, should be clearly envisaged. Those affirmative policies, while distinct from the mere principle of exclusion set forth in the Monroe Doctrine, are not inconsistent with that Doctrine but rather constitute its fitting complement.

First.—We recognize the equality of the American Republics, their equal rights under the law of nations. Said Chief Justice Marshall: "No principle of general law is more universally acknowledged than the perfect equality of nations. . . . It results from this equality that no one can rightfully impose a rule upon another."

At the first session of the American Institute of International Law, held in Washington in the early part of 1916, the jurists representing the American Republics adopted a declaration of the rights and duties of nations. This declaration stated these rights and duties "not in terms of philosophy or of ethics but in terms of law," supported by decisions of the Supreme Court of the United States. The declaration set forth the following principles:

I. Every nation has the right to exist, and to protect and to conserve its existence; but this right neither implies the right nor justifies the act of the State to protect itself or to conserve its existence by the commission of unlawful acts against innocent and unoffending States.

II. Every nation has the right to independence in the sense that it has a right to the pursuit of happiness and is free to develop itself without interference or control from other States, provided that in so doing it does not interfere with or violate the rights of other States.

III. Every nation is in law and before law the equal of every other nation belonging to the society of nations, and all nations have the right to claim and, according to the Declaration of Independence of the United States "to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them."

IV. Every nation has the right to territory within defined boundaries and to exercise exclusive jurisdiction over its territory, and all persons whether native or foreign found therein.

V. Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for right and duty are correlative, and the right of one is the duty of all to observe.

It can not be doubted that this declaration embodies the fundamental principles of the policy of the United States in relation to the Republics of Latin America. When we recognized these Republics as members of the family of nations we recognized their rights and obligations as repeatedly defined by our statesmen and jurists and by our highest court. We have not sought by opposing the intervention of non-American powers to establish a protectorate or overlordship of our own with respect to these Republics. Such a pretension not only is not found in the Monroe Doctrine but would be in opposition to our fundamental affirmative policy.

Second.—It follows that it is a part of our policy to respect the territorial integrity of the Latin American Republics. We have no policy of aggression; we do not support aggression by others; we are opposed to aggression by any one of the Latin American Republics upon any other.

Fortunately, however, under present conditions, there is no reason to apprehend such aggression. History shows that boundary disputes not infrequently give rise to action which in reality is of an aggressive character but is sought to be justified by territorial claims. There are but few of these controversies still open in Latin America. Argentina and Chile resolved their boundary dispute by arbitration. The boundary controversy between Argentina and Brazil was also submitted to arbitration and the decision has been loyally carried out. Chile and Peru have found it possible, and we were privileged to give the aid of our good offices in the matter, to provide for the submission to arbitration of the questions which have long vexed their relation growing out of the Tacna-Arica controversy and the Treaty of Ancon. There are a few minor boundary questions in Latin America, but there is no reason to doubt that they will be disposed of peacefully. It is believed that no aggression is threatened in Latin America.

Third.—States have duties as well as rights. Every State on being received into the family of nations accepts the obligations which are the essential conditions of international intercourse. Among these obligations is the duty of each State to respect the rights of

citizens of other States which have been acquired within its jurisdiction in accordance with its laws. A confiscatory policy strikes not only at the interests of particular individuals but at the foundations of international intercourse, for it is only on the basis of the security of property validly possessed under the laws existing at the time of its acquisition that the conduct of activities in helpful cooperation are possible. Each State may have its code of laws in accordance with its conception of domestic policy, but rights acquired under its laws by citizens of another State it is under an international obligation appropriately to recognize. It is the policy of the United States to support these fundamental principles.

Fourth.—It is the policy of this Government to make available its friendly assistance to promote stability in those of our sister Republics which are especially afflicted with disturbed conditions involving their own peace and that of their neighbors. It is the desire of the United States to render this assistance by methods that are welcomed and which are consistent with the general policies above stated. For example, in the case of the Central American Republics, it has been our constant endeavor, in the interest of the maintenance of their integrity and sovereignty, to facilitate by our good offices such agreements between themselves and such measures of security and progress as will favor stable and prosperous conditions. This has been the object of the conferences of Central American Republics, and at the last conference, held in Washington in December, 1922, an important advance was made. It is not too much to say that if the treaties and conventions then formulated and signed are ratified and carried into effect there will be no probability of further serious disturbances in Central America, and these Republics, favored with vast natural resources, will enter upon an era of tranquillity and will enjoy opportunities of almost unlimited prosperity.

In promoting stability we do not threaten independence but seek to conserve it. We are not aiming at control but endeavoring to establish self-control. We are not seeking to add to our territory or to impose our rule upon other peoples.

Fifth.—The United States aims to facilitate the peaceful settlement of difficulties between the Governments in this hemisphere. This policy has had notable illustration in our own relation to our neighbor on the north, the Dominion of Canada, which is justly proud of its position in "the community of nations known as the British Empire." We have a boundary with Canada, including

that of Alaska, of about 5,500 miles unfortified. Through arbitration we have disposed of such serious controversies as those relating to the Behring Sea fisheries rights, the Alaska boundary, and the North Atlantic coast fisheries. We have an International Joint Commission for the purpose of investigating and reporting upon questions relating to boundary waters and other questions arising along the boundary between Canada and the United States. Our 100 years of peace furnish a shining example of the way in which peoples having an inheritance of bitterness and strife have been able to live in friendship and settle all their differences by peaceable methods.

With respect to the Latin American Republics it is our policy not only to seek to adjust any differences that may arise in our own intercourse but, as I have said, to extend our good offices to the end that any controversy they may have with each other may be amicably composed. We are seeking to establish a *Pax Americana* maintained not by arms but by mutual respect and good will and the tranquillizing processes of reason. We have no desire to arrogate to ourselves any special virtue, but it should constantly be recognized that the most influential and helpful position of the United States in this hemisphere will not be that of the possessor of physical power but that of the exemplar of justice.

In connection with this aim, it is gratifying to note that the treaties between the United States and other countries providing for commissions of inquiry, in the interest of full investigation and consideration of causes of difference before resort to hostilities, and the similar treaty concluded in February, 1923, between the United States and the Republics of Central America, formed the basis of the conclusion at the Santiago conference for a general treaty for the submission to commissions of inquiry of controversies arising between the American Republics.

Sixth.—In seeking to promote peace, as well as to aid in the reduction of unproductive expenditures, this Government has sought to encourage the making of agreements for the limitation of armament. Through our treaty with the great naval powers we have limited our capital ships, and we have voluntarily reduced our land forces. One of the treaties negotiated at the Central American conference provides for the limitation of armament on the part of the Central American Republics. At the recent Santiago conference it was not possible to reach an agreement between the other Latin

American States upon this subject, but undue importance should not be attached to this failure. I have recently pointed out that whether we have regard to the total active armies in the world, or to the total organized forces in the world, we have in this hemisphere, including the United States and Canada, but 6 per cent of the whole. Moreover, the discussion at Santiago did not reveal points of view that must be considered to be utterly irreconcilable. On the contrary, it may be hoped that in the fortunate absence of all causes of serious controversy, and for the purpose of avoiding unnecessary outlays, a basis of agreement to limit armament may yet be reached.

Seventh.—The policies which have been described are not to secure peace as an end in itself, but to make available the opportunities of peace; that is, to open the way to a mutually helpful cooperation. This is the object of the Pan American conferences. These will be increasingly helpful as they become more and more practical. The object is to create the opportunity for friendly contact, to develop a better appreciation of mutual interests and to find particular methods by which beneficial intercourse can be aided. This bears directly upon the facilitation of exchanges, the protection of health, the promotion of education and commerce and the developing of all the necessary agencies for disseminating information and for improving means of communication. With peace assured and apprehensions allayed, it will inevitably be found that there is less diversity of interest than had been supposed and that there is an ever-widening opportunity for working together for the common good.

Eighth.—It should also be observed that in our commercial relations the United States is seeking unconditional most-favored-nation treatment in customs matters. Prior to the beginning of the present year preferential tariff rates had for about 20 years been conceded by Brazil to certain imports from the United States. This had been an anomalous feature of our tariff relations, since the general policy of this Government has been neither to give or to seek customs preferences. In view of the adoption of the tariff act of 1922, section 317 of which authorizes the President to declare additional duties upon the products of any country that may discriminate against the commerce of the United States, it was felt that this Government could not longer with consistency ask the Brazilian Government to grant to goods of the United States rates which were lower than those which were accorded to similar imports from other countries. In making known, in January last, its determination no

longer to seek the renewal of preferential treatment, this Government explained to the Government of Brazil, that its policy henceforth would be to seek from Brazil as well as from other countries, treatment for goods from the United States as favorable as might be accorded to the products of any third country. Notes have been exchanged with Brazil embodying this policy. The Government is contemplating the negotiation of new commercial treaties with Latin American countries or the modification of existing treaties in harmony with the most-favored-nation principle, excepting, however, as in the case of the exchange of notes with Brazil, the special treatment which the United States accords or hereafter may accord to Cuba, in view of our special relations with that Republic, and to the commerce between the United States and its dependencies and the Panama Canal Zone. Not only does the Monroe Doctrine not mean that the United States has a policy of seeking in the Latin American Republics economic advantages denied to other countries but it is not the general policy of the United States to seek preferential rights. The commercial treaties which it is proposed by this Government to negotiate with the Latin American countries are, with respect to the principles involved, substantially like those which it is sought to negotiate with European Governments.

Ninth.—We have certain special policies of the highest importance to the United States.

We have established a waterway between the Atlantic and Pacific Oceans—the Panama Canal. Apart from obvious commercial considerations, the adequate protection of this canal—its complete immunity from any adverse control—is essential to our peace and security. We intend in all circumstances to safeguard the Panama Canal. We could not afford to take any different position with respect to any other waterway that may be built between the Atlantic and the Pacific Oceans. Disturbances in the Caribbean region are therefore of special interest to us not for the purpose of seeking control over others but of being assured that our own safety is free from menace.

With respect to Cuba, we have the special interests arising from our treaty and our part in the securing of her independence. It is our desire to see her independence not weakened but safeguarded and her stability and prosperity assured. Our friendly advice and aid are always available to that end.

I have sketched briefly these affirmative policies of the United

States in this hemisphere. We rejoice in the progress of our sister Republics and at the enhanced prosperity which is at their call. The Monroe Doctrine stands, as it has always stood, as an essential part of our defensive policy, but we are no less but rather more interested in the use of the opportunity which it created and has conserved. We desire no less than they themselves the independence, the peace and progress of all the American Republics, and we seek to enjoy to the fullest extent possible the blessings bestowed by the spirit of confraternity, those mutual benefits which should result from our intimate association and our common political ideals.

CHARLES CHENEY HYDE¹

Scope of Opposition to Foreign Territorial Aggrandizement

§ 90. The General Claim

The United States appears to assert the right to oppose the acquisition by any non-American power of any territorial control over American soil by any process. Objection seems to be made and is likely to be anticipated, whether such control be effected through the voluntary transfer by an existing territorial sovereign, republican or monarchical in its government, or be attained in consequence of forcible encroachment upon it. Thus the right is apparently asserted to interfere with the political independence of an American grantor consenting to the cession of its territory to a proscribed grantee of the Eastern Hemisphere. It is believed, moreover, that the United States, if confronted with the actual problem, might evince indifference as to the relative proximity to, or remoteness from, its domain of the particular area concerned. The basis of this claim is necessarily that the proper defense of the United States is rendered difficult and its safety jeopardized by the transfer generally of American territory to non-American States, and to a degree which justifies objection to any acts which if tolerated would serve to diminish respect for, and so weaken the efficacy of this mode of safeguarding the nation.

¹ Solicitor for the Department of State. The following extract is from Mr. Hyde's work entitled *International Law, Chiefly as Interpreted and Applied by the United States* (Little, Brown, and Company, Boston, 1922), vol. I, pp. 140-59.

The acquisition of any form of control established by any public agencies of non-American States would appear to be regarded as at variance with the foregoing requirements. In 1912, the Senate of the United States, whether or not sharing the fears that had been expressed lest Japan sought indirectly lodgment in territory adjacent to Magdalena Bay, adopted a resolution declaring

That when any harbor or other place in the American continent is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that Government practical power or control for naval or military purposes.

It is believed that this resolution gives expression to a moderate and reasonable enunciation of the principle of self-defense. While it was doubtless regarded in certain quarters as a novel application of the Monroe Doctrine on account of the warning sought to be given to an Asiatic State, the resolution by its comprehensive terms, embracing any foreign government "not American," did not advance any new legal theory. It must be recalled that it was against the territorial aggrandizement of Russia as an Asiatic Power that the United States directed its earliest protest respecting colonization.

It seems important to observe that the opposition of the United States to territorial aggrandizement has long since ceased to be based on the theory that the American continents contain no lands not subjected to rights of sovereignty and so not open to occupation as a technical mode of creating or perfecting rights of property and control therein. For that reason the term "occupation" as employed by the United States in current diplomatic correspondence respecting the Monroe Doctrine, has merely its colloquial significance. Objections to acquisitions by non-American States rest simply upon the ground that they jeopardize the safety of the United States, or incidentally constitute an encroachment upon the rights of an existing territorial sovereign. . . .

§ 92. Certain Acts Involving or Threatening Permanent Occupation

The United States appears to object to any acts by a non-American State which are of a character such as to involve or even threaten permanent occupation of American soil. Obviously the establishment of a protectorate falls within such a category and is, therefore, looked upon with distinct disapproval.

In 1905, President Roosevelt expressed opinion that the taking possession, even though temporarily, of the custom houses of an American insolvent State by a creditor State of another continent as a means of collecting its debts; might well result in a permanent occupation which the United States could not, in his judgment, regard with unconcern.

It is important to observe that the United States does not assert the right to interfere with attempts of non-American States to resort to coercive action against American States on account of their alleged contractual or tortious delinquencies, when the steps taken do not involve the occupation of territory. Thus in 1901, upon the assurance of the German Government that it had no purpose or intention to make even the smallest acquisition of territory on the South American continent or islands adjacent thereto, in connection with a proposed use of force against Venezuela, as a means of securing the adjustment of claims, Secretary Hay offered no objection. Likewise in 1908, in response to an inquiry from the Netherlands, the Department of State declared that the Government of the United States did not feel at liberty to object to coercive measures to be taken by the Netherlands in regard to Venezuela and which did not involve "occupation of territory either permanent or of such a character as to threaten permanency."

It should be noted, however, that the gaining of actual control of the custom houses (and that possibly for an indefinite period of time) of certain insolvent American States, has appeared at times to offer the sole means of obtaining satisfaction of pecuniary claims of contractual origin. President Roosevelt, believing that interference with such action, in the case of the Dominican Republic, under cover of the Monroe Doctrine, would place foreign aggrieved states in a remediless condition, and also tend to deprive them of possibly just rights of coercion, logically proposed in 1905, as a feasible alternative, that the United States be itself allowed to collect the claims of European States as well as its own. The application of this theory, through the establishment of a virtual receivership, proved to be of practical value as a means both of avoiding friction between the United States and European powers, and of conserving available assets for the benefit of all concerned. It is believed that the financial protection which by convention it has established over Haiti, as well as the Dominican Republic, has served to avert controversies otherwise to have been anticipated,

unless the United States was prepared to tolerate not merely the use of non-American force, but rather those forms of it which involved acts threatening the permanent occupation of American soil.

§ 93. **Opposition to Interference with Political Independence**

The United States asserts the right to oppose generally the attempt of any non-American power to interfere with the political independence of any American State. This assertion, apart from its relation in any particular case to the requirements of self-defense which may confront the United States, finds justification on those grounds which normally excuse intervention; for it is simply the manifestation of the propriety of interference with acts themselves essentially illegal and oppressive.

Objection is thus made to the assertion of non-American influence to change the form of an existing American Republic, or to control the free will of its people. While there appears at the present time little danger of an attempt from another continent to impose a repressive or undemocratic system of government upon an American state, such efforts were made long after President Monroe's message of 1823.

Between 1862 and 1867, France intervened in Mexico, making the attempt to suppress by force republican government in that State and to establish a monarchy therein. This conduct, as is well known, ultimately aroused such opposition on the part of the United States as to bring about the evacuation of French troops and the reestablishment of a republican government. It should be observed that American interference was attributable not only to sympathy for the oppressed people of a neighboring country, but also to the requirements of the defense of the United States.

Modes of Applying the Monroe Doctrine

§ 94. **Avoidance of concerted action**

In the process of its own defense a State may or may not deem it necessary to secure the aid of its neighbors or friendly powers of distant continents. It may be reluctant, moreover, to yield by convention or alliance to any foreign States the right to determine under what circumstances the requirements of its own safety demand recourse to a particular form of conduct.

The United States has generally avoided concerted action with

European States in proceedings directed against or especially pertaining to States of the American continents. Thus in 1852, it refused to enter into an arrangement with Great Britain, France and Spain for the neutralization of Cuba. In 1861, it declined to join those powers in a combined movement upon Mexico. In 1881, it was unwilling to unite with France and Great Britain in order to bring to a close a war between Chile and Peru. In 1886, it was indisposed to act in concert with certain European powers against Venezuela.

On the other hand, the United States, in cooperation with Great Britain and France, intervened in 1850-1851, in order to bring about peace between the Empire of Haiti and the Dominican Republic.

By the Clayton-Bulwer Treaty, concluded April 19, 1850, the United States and Great Britain agreed to impose rigid restrictions on their freedom of action with reference to Central America. Each party undertook not to obtain or maintain for itself any exclusive control over a proposed trans-Isthmian canal, not to erect or maintain any fortifications commanding it or in the vicinity thereof, and not to occupy, fortify or colonize, or assume, or exercise any dominion over any part of Central America. Both Governments agreed to accord protection to persons and property involved in the construction of the canal, and they engaged to "guarantee the neutrality" of it upon its completion. Declaring that their purpose was not only to accomplish a particular object, but also to establish a general principle, they agreed to extend their protection to other practicable interoceanic communications by land and water across the isthmus.

The effect of this treaty was to bind Great Britain not to commit numerous acts which would have been opposed to the theory of the Monroe Doctrine, and thereby to secure the cooperation of that State in maintaining it. In view of the ascendancy of Great Britain in the Isthmus in 1850, it is believed that the Clayton-Bulwer Treaty served greatly to facilitate the prevention of the development of a British zone in Central America which would have closed the door against the conclusion fifty years later of any agreement permitting any other power such as the United States to construct an interoceanic canal.

There has been no disposition on the part of the United States to enter into agreements with other States of the Western Hemisphere for the purpose of safeguarding the latter against acts which

the former might regard as at variance with the theory of the Monroe Doctrine.

§ 95. Preventive Measures

The United States assumes no responsibility for the action of other American States. Nor, as has been seen, does it assert the right to shield them from the consequences of misconduct, save under circumstances when attempts to secure justice involve acts on the part of non-American powers threatening permanent occupation of territory or interference with rights of political independence.

It was suggested by President Roosevelt in 1904, that "chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society," might in America, as elsewhere, ultimately require intervention by some civilized power, and that in the Western Hemisphere the adherence of the United States to the Monroe Doctrine might force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power. This idea has doubtless been influential in causing the United States to conclude agreements designed to place under its protection for specified purposes certain Central American States. It is believed, moreover, that in the event of conditions stated by President Roosevelt, the United States would in fact prefer to exercise an international police power, than to endeavor, as an alternative, to thwart vigorous non-American coercive measures otherwise demanded by the requirements of justice and necessitating any occupation of American territory.

§ 96. The Relation of the Monroe Doctrine to International Law

The place in law which the assertions by the United States of a right to check the freedom of action of non-American States with respect to the American continents have attained, must depend upon the effect which in practice such assertions have produced upon the conduct of those states. That effect is a bare fact; and it is not to be ascertained by reference to the supposed expediency or inexpediency of the policies which have influenced the United States in its conduct. Nor is it related to the circumstance that grounds of interference relied upon in the twentieth century may differ in any respect from those invoked by President Monroe and embrace objections which he and his cabinet did not raise. It is also unimportant in legal contemplation, whether the term Monroe Doctrine fitly describes what has taken place.

It is believed to be of utmost significance that acts of interference within the limits above observed have been eminently successful, and have at times led to explicit acknowledgment of the soundness of the principle behind them. The real reason for such a yielding has been that the conduct of the United States has commonly found simple justification, either in the circumstance that the acts which it sought to thwart amounted to unjust and oppressive treatment of American States, or because when such did not appear to be the case, the requirements of the defense of the United States could be fairly invoked by way of excuse. Concerning those requirements there has been at times difference of opinion, and it may still be anticipated, should an American State endeavor to transfer territory or any rights therein to a proscribed grantee of another continent. Yet the known opposition of the United States to such a proceeding would doubtless tend, as it has heretofore, to prevent a non-American State from venturing upon a contract of cession with even the most willing grantor.

It may be acknowledged that no rule of international law imposes a duty upon the United States to intervene when under the theory of the Monroe Doctrine it may elect to do so. It may also be acknowledged that that law does not in terms announce or intimate as yet that the United States may lawfully invoke that doctrine as such, and according to its own interpretation of it, as a sufficient justification for its action. To this extent, and no further, it may be safely declared that the Monroe Doctrine is not itself a part of international law. On the other hand, the steadily increasing disposition of the non-American States to accept as not unlawful the claims of the United States to the possession of a right to thwart interference with the political independence of American States, or to oppose acts involving the occupation of their territory even when not of such character, has already served to establish a practice which regards the actual operation of the Monroe Doctrine as not internationally illegal. It is the absence of tokens of disapproval on the part of non-American States which has significance; and this finds fresh illustration when, on occasions as declarations appended by the United States to its ratifications of general international conventions advert to the theory of the Monroe Doctrine as a national pretension, the claim remains unchallenged.

The present importance of the Monroe Doctrine is largely derived, as Sir Frederick Pollock has pointed out, from the continuous and

deliberate approval of it by the presidents of the United States. The doctrine, he declared, "is a living power because it has been adopted by the Government and the people of the United States, with little or no regard to party divisions, for the best part of the century." It is the resolute, and what has come to be habitual attitude expressed in behalf of the United States, whenever the conduct of non-American States threatens to disregard the obligations of non-interference and of abstinence from acquisitions of territory which it has sought to impose, that sustain and invigorate its claims. The acquiescence of non-American States together with the devotion of the United States to the principles on which it rests, have united to cause the Monroe Doctrine to be regarded as a reasonable and lawful basis of restraint. Such a result could not have occurred had not the application of that doctrine wrought justice for the Western Hemisphere and done no harm to States outside of it.

PHILANDER C. KNOX¹

Contiguous countries, or those approximate by reason of being parts of one of the earth's great geographical subdivisions, sustain natural and inevitable relations toward each other, out of which arise certain political correlations to be asserted from time to time as the safety, welfare, and progress of the group as a whole, or that of its members, may require. One of these relations involves the necessity of being mindful of the activities of other states and the preservation among them of an existing stable status, "whether," as Phillimore says, "by preventing the aggressions and conquests of any one power, or by taking care that, out of the new order of things produced by internal revolutions, no existing power acquires an aggrandizement that may menace the liberties of the rest of the world."

This relation and the necessities arising out of it are doubtless as old as human government and seem certainly to have become an avowed and conscious policy so soon as there existed in the world

¹ Secretary of State of the United States 1909-1913. The following extract is taken from an address entitled *The Monroe Doctrine and Some Incidental Obligations in the Zone of the Caribbean*, delivered before the New York State Bar Association, New York, January 19, 1912. *Report of New York State Bar Association*, vol. xxxv (1912), p. 294.

great states in rivalry for supremacy. For example, Hiero, King of Syracuse, though an ally of Rome, sent aid to Carthage during the war of the Auxiliaries; and Polybius asserts that the King justified his course as necessary "both in order to retain his dominions in Sicily, and to preserve the Roman friendship, that Carthage should be safe; lest by its fall the remaining power should be able, without let or hindrance, to execute every purpose and undertaking."

Modern nations have found it necessary to invoke and enforce the same principle, and our own Government very early in its history adopted it when it pronounced the Monroe Doctrine, the first assertion of which was based on purely selfish motives, namely, that this country's safety and peace depended upon the exclusion of American soil as a field for further European colonization.

The founders of our Government (observers of the strifes, turmoils, and rivalry among the countries of Europe) very early saw, in their providential wisdom, the necessity for creating and maintaining upon this hemisphere a status which should not threaten the existence or political stability of this nation. As early as 1793 Jefferson indicated in an instruction to the American Minister to Spain his apprehensions over the further acquisition of territory on this continent by European powers.

A few years later, in 1801, Mr. King, then Minister to England, reported that in an interview with Lord Hawkesbury he had indicated that the United States were "contented that the Floridas remain in the hands of Spain, but should not be willing to see them transferred, except to ourselves." In 1808 President Jefferson, writing to Governor Claiborne, of Louisiana, asserted that—

We shall be well satisfied to see Cuba and Mexico remain in their present dependence; but very unwilling to see them in that of either France or England, politically or commercially. We consider their interests and ours as the same, and that the object of both must be to exclude all European influence from this hemisphere.

Three years later President Madison sent to Congress a secret message regarding the occupation of the Floridas, in response to which Congress, in secret session, passed on January 15, 1811, a resolution which recited that—

Taking into view the peculiar situation of Spain, and of her American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce, resolved,

That the United States, under the peculiar circumstances of the existing crisis, can not, without serious inquietude, see any part of the said territory pass into the hands of any foreign power; and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory. . . .

These few antecedents show how clearly this principle was understood by and how vividly its importance was impressed upon the founders of our Government and how early they consciously adopted it in order to secure so far as possible from outside pressure the preservation of the Union. Moreover, even European countries not only recognized the principle itself as among themselves, but also its application to the existing political conditions in the Americas. In the correspondence between Mr. Rush and Mr. Canning, as a result of which at least in part President Monroe made his announcement, Mr. Canning in a letter to Mr. Rush under date of August 20, 1823, in speaking of the Spanish efforts to recover control of her colonies, stated the following propositions:

1. We conceive the recovery of the colonies by Spain to be hopeless.
4. We aim not at the possession of any portion of them ourselves.
5. We could not see any portion of them transferred to any other power with indifference. . . .

If there be any European power which cherishes other projects, which looks to a forcible enterprise for reducing the colonies to subjugation, on behalf of or in the name of Spain, or which meditates the acquisition of any part of them to itself, by cession or by conquest, such a declaration on the part of your government and ours would be at once the most effectual and the least offensive mode of intimating our joint disapprobation of such projects.

The first positive pronouncement, from which has grown, in the lapse of fruitful years, the great body of precept and precedent which is to-day called the Monroe Doctrine, is found in President Monroe's annual message of 1823, in which he stated that—

The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents by the free and independent condition which they have assumed and maintained are henceforth not to be considered as subject for future colonization by any European powers.

This statement was designed as a politic declaration, made to fit a specific "occasion," namely, the claim of Russia, under the ukase of 1821, to exclude all alien commerce and industry from the coasts and waters of northwestern America down to the fifty-first parallel.

John Quincy Adams, then Secretary of State, resisted this avid claim on the ground that no Russian settlement existed on the territory, to which the United States laid equal claim, and on July 17, 1823, more than five months before President Monroe's message, Mr. Adams gave notice to the Russian envoy to the effect that the flaw in the Russian contention could not be cured by making settlements, as an afterthought, to prop up an unjustified claim of title. What Mr. Adams said was—

that we [the United States] should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for any new European colonial establishments.

It was this categorical declaration that Monroe embodied in his message, with the verbal change that the original "settlements," which under Mr. Adams's pen became "territorial establishments" and "colonial establishments," was altered to "future colonization." Thus amended, the Adams caveat, directed specifically at the Russian claim, became in time merged in the Monroe Doctrine proper and, a generation later, played its part in the negotiation of the Central American and Clayton-Bulwer treaties with Great Britain as a question of fact, resting on the assertion that the continent was "occupied by civilized independent nations" and was "accessible to Europeans and each other on that footing alone."

The Monroe Doctrine proper, as enunciated in a different part of the celebrated message of 1823, was much more far-reaching. It was called forth by the menace of a combination of European powers with the purpose of interference in the political affairs of the recently enfranchised American republics, whose sovereign existence had been acknowledged by the United States but not then by Europe. This movement, an outgrowth of the Holy Alliance of 1815 and originally confined to Europe as a league for protecting the principle of legitimacy as against revolution, for upholding the divine right of kings as opposed to the rights of the people, was extended, in the summer of 1823, to embrace intervention, in behalf of Spanish sovereignty, in America. France proposed to Great Britain that when the allies should have accomplished their task of restoring the Spanish Throne, they should propose a congress with the view to the termination of the revolutionary governments in Spanish America; but England looked upon this proposal with disfavor, and Canning, late in the summer of 1823, sounded the United States as to the possibility of

the two Governments taking a joint position against interference by the allies in Latin America. The opinion of Jefferson that "Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs" was echoed by Monroe's advisers. The suggestion of joint action with Great Britain was not favored, but the coincidence of British policy with our own was not unwelcome. England, indeed, took the initiative in October, 1823, by declaring that, while neutral as to the contest between Spain and her American colonies, the "junction" of any foreign power with Spain against the colonies would be viewed as constituting "entirely a new question upon which Great Britain must take such decision as her interests required." The Canning declaration was potential and was soon rendered specifically effective by the utterance of Monroe; the fact that the two great maritime Powers were moving in parallels toward the enunciation of a vital principle made impracticable the accomplishment of any project of American interference by the allies, and they were not slow to realize the force of Monroe's announcements when he said:

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States.

Like all general formulations of great principles the Monroe Doctrine has required interpretation and construction to apply its precepts to special cases.

It was understood at the outset by the newly enfranchised Latin-American States as a defensive movement in their favor, rather than as a step taken by the United States in its own interests and for its own self-defense. In 1825 the southern republics proposed to convene a congress at Panama, to form an alliance of all the independent American States for self-defense and to settle some principle of public law to govern their relation with each other. One of the measures scheduled for discussion was:

To take into consideration the means of making effectual the declaration of the President of the United States respecting any ulterior design of a foreign power to colonize any portion of this continent, and also the means of resisting all interference from abroad with the domestic concerns of the American Governments.

It thus appears that the Spanish-American States understood the Monroe Doctrine to import a definite pledge by the United States to them of mutual support in its maintenance and to involve joining with them in some kind of specific alliance, offensive and defensive, for that purpose. The Senate responded to the proposal for a congress by confirming two commissioners, for whose expenses the Congress appropriated means; but one of them died, the other reached Panama too late to take part in the first session, and no second session was ever held.

In 1848 President Polk saw occasion for an expansive construction of the Monroe Doctrine. An Indian rising in Yucatan led the local authorities to offer their dominion and sovereignty to the United States, and, perhaps on the principle of having more than one string to their bow, to make a like offer to England and Spain. Commenting on this offer, Mr. Polk said:

According to our established policy, we could not consent to a transfer of this "dominion and sovereignty" to either Spain, Great Britain, or any other European power. In the language of President Monroe, in his message of December, 1823, "we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

In this message Polk practically repeated what he had said in 1845 in connection with the Oregon boundary question and the annexation of Texas, when he deemed "that it should be distinctly announced to the world as our settled policy, that no future European colony or dominion shall, with our consent, be planted or established on any part of the North American continent."

Thus, President Polk merged the "non-colonization" declaration of Mr. Adams in the case of the Russian claim with the true Monroe Doctrine of political noninterference.

This combined doctrine found early application in the case of Cuba. As early as in President Jackson's time it was intimated by us to Spain "that if she would not cede Cuba to any European power we would assist her in maintaining possession of it." As Secretary of State, Daniel Webster took occasion to revive this phase of the broadened doctrine by serving notice in 1851 upon Great Britain,

in view of a proposed tripartite engagement between France, Great Britain, and Spain to guarantee the Spanish retention of Cuba, that "it has always been declared to Spain that the Government of the United States could not be expected to acquiesce in the cession of Cuba to an European power."

Thenceforth, through the period of the Ostend manifesto and the time when Mr. Marcy was Secretary of State, and Cuban annexation to the United States was discussed, Cuba passed on to independence and finally to its present position of great potential well-being, securely bulwarked, by definite stipulations, from ever again becoming an issue under the Monroe Doctrine. To-day no great liveliness of imagination is needed to conjecture, in retrospect, whither the Pearl of the Antilles might have drifted but for the part taken by the United States in securing Cuba for the Cubans.

The Monroe Doctrine also came perilously near being brought into direct play when, during our Civil War, Spain made an attempt to regain Santo Domingo through an illegal arrangement with its President for the time being. The scheme was abortive, but the causes which prompted it survived, and the Dominican Republic continued to suffer from impotent misrule, financial default, and civil perturbation. Conspicuously an easy prey to any aggression from abroad, it sought the formal protection of the United States, which was declined. It then voluntarily sought annexation, which was accepted and a treaty to that end was negotiated but never consummated. In sending the treaty to the Senate, President Grant said:

The doctrine promulgated by President Monroe has been adhered to by all political parties, and I now deem it proper to assert the equally important principle that hereafter no territory on this continent shall be regarded as subject of transfer to a European power. . . .

The acquisition of San Domingo is an adherence to the "Monroe Doctrine"; it is a measure of national protection.

We thus see President Grant ready to agree to annexation if the alternative bid fair to be the stultification of our long-asserted right and duty of self-preservation against adverse influences being set up through un-American domination at our doors.

To illustrate how the self-preservation features of the Monroe Doctrine have been espoused and lived up to by all of our national administrations, whatever their party allegiance or political creed, as well as to show the association between the instinct of self-preser-

vation and the idea of aiding our neighbors to guard themselves against invasive alien influences from which, in the end, we ourselves should suffer, the Venezuelan episode of 1895 may be pertinently cited. On its face, the issue between Venezuela and Great Britain was merely one of determining an undefined boundary line; in its essence, it appeared to involve the setting up of expanded colonial domination by Great Britain over a large part of the historical territory of Venezuela. The dispute lasted nearly half a century. Mr. Evarts, Mr. Frelinghuysen, and Mr. Bayard successively urged upon Great Britain the acceptance of the arbitration asked by Venezuela. Mr. Blaine followed in 1889, after Barima, at the mouth of the Orinoco, had been proclaimed a British port. When Mr. Cleveland assumed office, Mr. Olney renewed the appeal for arbitration with the alternative of conventional agreement upon a definite boundary. In February, 1895, Congress, by joint resolution, approved the President's recommendation of arbitration. On July 20, 1895, Mr. Olney addressed to Ambassador Bayard an instruction which has become one of the famous papers of our diplomatic annals. He asserted that the right of one nation to intervene in a controversy to which other nations are directly parties may be availed of "whenever what is done or proposed by any of the parties primarily concerned is a serious and direct menace to its own integrity, tranquillity, or welfare."

He elaborately analyzed the history and scope of the doctrine of Monroe, especially dwelling upon its noncolonization declaration, deducing "that the Venezuelan boundary dispute is in any view far within the scope and spirit of the rule as uniformly accepted and acted upon." He was careful not to link himself to the cause of either disputant. To quote only very briefly, he said that the United States "being entitled to resent and resist any sequestration of Venezuelan soil by Great Britain, it is necessarily entitled to know whether such sequestration has occurred or is now going on."

Mr. Olney's conclusion was that it appeared to be the unmistakable and imperative duty of the President to ask "for a definite decision upon the point whether Great Britain will consent or will decline to submit the Venezuelan boundary question in its entirety to impartial arbitration."

The dispute was eventually and happily ended by arbitration.

It was at this period of the development of the doctrine and in this very controversy that a new suggestion was made, in negative

form, to the effect that if the Government of the United States had the rights which it claimed, it must take them *cum onere* and so assume certain obligations and responsibilities. This was indicated by Lord Salisbury in answer to Mr. Olney's able presentation of the doctrine in the statement that—

It is admitted that he [President Monroe] did not seek to assert a protectorate over Mexico or the states of Central and South America. Such a claim would have imposed upon the United States the duty of answering for the conduct of these states, and consequently the responsibility of controlling it. . . . It follows of necessity that if the Government of the United States will not control the conduct of these communities, neither can it undertake to protect them from the consequences attaching to any misconduct of which they may be guilty towards other nations.

In this relation I am disposed to emphasise the fact that our course in the Venezuelan incident, apart from obeying the instinct of self-preservation, was distinctly and mainly responsive to the appeal of Venezuela and in the direction of lending a helpful hand to a suffering neighbor to enable a just determination of her asserted claim of right. So far as Venezuela was concerned we imposed no burden upon that then feeble State; we simply assisted it to throw off a burden. It was surely zeal in the defense of a sister Republic and unaffected consciousness that our power was for beneficent use which called from Mr. Olney these vigorous words:

To-day the United States is practically sovereign^{*} on this continent and its fiat is law upon the subjects to which it confines its interposition.

The spirit behind these words contemplated, I am sure, no arbitrary exercise of sheer power, but a determined zeal in magnanimous consideration for the rights of other American Republics, a sincere sympathy with them in their trials, an insistence upon the right, that good might come to them and that our own vital interests should not be menaced.

It goes almost without saying that, from aiding an embarrassed neighbor in doing the right, or in defending a right, to assuming vicarious responsibility for his wrongdoing, is a far cry. Between these two extremes, as between all extremes, there lies a median zone where they touch or even overlap. That is the case when the question arises how far, in a given situation, this nation may go in helping another American people to avert any injurious consequences of wrongdoing.

In principle it is not the duty of the United States to prevent a

foreign state from seeking redress, or to shoulder the wrong and assume its redress ourselves. But it is equally obvious that the measures to which a foreign state might ordinarily resort to enforce its claim might amount to political interference in the affairs of the American continents, as by occupation and administration of territory, or like extreme coercive steps. That is a contingency which the tenets of the doctrine, joined to the dictates of common prudence, authorize and counsel us to avert by all proper means, in fulfillment of a responsibility we owe to ourselves, even if not in the discharge of any conventional or moral obligation.

The point was well considered in President Roosevelt's annual message of 1905. He examined it in its tortious and contractual aspects. As to the former, he said:

If a republic to the south of us commits a tort against a foreign nation, such as an outrage against a citizen of that nation, then the Monroe Doctrine does not force us to interfere to prevent punishment of the tort, save to see that the punishment does not assume the form of territorial occupation in any shape.

As to the latter aspect, he said:

On the one hand, this country would certainly decline to go to war to prevent a foreign government from collecting a just debt; on the other hand, it is very inadvisable to permit any foreign power to take possession, even temporarily, of the custom-houses of an American Republic in order to enforce the payment of its obligations; for such temporary occupation might turn into a permanent occupation.

And upon both propositions he reached the conclusion that—

The only escape from these alternatives may at any time be that we must ourselves undertake to bring about some arrangement by which so much as possible of a just obligation shall be paid. It is far better that this country should put through such an arrangement, rather than allow any foreign country to undertake it.

My distinguished predecessor, Mr. Root, voiced the same views in a speech made in 1904 at the annual dinner of the New England Society:

And if we are to maintain this doctrine [the declaration of Monroe], which is vital to our national life and safety, at the same time when we say to the other powers of the world, "You shall not push your remedies for wrong against these republics to the point of occupying their territory," we are bound to say that whenever the wrong can not be otherwise redressed we ourselves will see that it is redressed.

These, gentlemen, constitute the more important announcements, with the elements involved therein, which have been made during

our past history, and whatever particular phase of the Monroe Doctrine you may choose to emphasize, it appears to me evident that there is one certain deduction from the premises, and that is that the best way to avoid the difficulties occasionally arising out of any responsibilities which this doctrine in certain of its aspects may seem to impose is to assist the less fortunate American Republics in conducting their own affairs in such a way that those difficulties should not be liable to arise. The most effective way to escape the logical consequences of the Monroe Doctrine is to help them to help themselves. Assuming the correctness of Mr. Root's corollary, it is our duty, to ourselves and to them, to cooperate in preventing, where possible, specific conditions where we might have to become in too great a measure accountable. We diminish our responsibilities in proportion as we bring about improved conditions. Like an insurance risk, our risk decreases as the conditions to which it pertains are improved.

I most confidently assert that, under the Monroe Doctrine in its ultimate analysis, the heaviest and most matter-of-fact responsibility that to-day rests upon the United States is that we should respond to the needs still felt by some few of our Latin-American neighbors in their progress toward good government, by assisting them to meet their just obligations and to keep out of trouble. We wish to see them prosper, and their prosperity, by reflex action, is felt not only by us but by all the members of the American family.

The proposition is not novel; it has been practically wrought into shape and proved successful in the experimental case of Santo Domingo, which, as we have seen, had begun to cause us concern so long ago as the time of our Civil War. The success of the Dominican arrangement has been so brilliant that I mention it at some length as the best possible guaranty of the good effects to be expected from the Nicaragua and Honduras conventions, which are similar in principle but necessitate an even less direct interposition on the part of the United States.

In 1904 the Dominican Republic presented a situation which threatened to lead to the gravest consequences so far as the United States was concerned. For years the country had been torn by internal dissension and revolutions until the instability of the so-called Government had become a byword and the credit of the nation had been reduced to such a condition that usurious rates of interest were demanded and obtained by those who were willing to

furnish the tottering Republic with funds. It was also customary for the lenders of money to demand as security for the payment of interest and principal the hypothecation of the revenues of the various seaports of the country until at length the Dominican people found themselves in a position where practically the revenues of every port in the Republic were pledged for the payment of debts. There were no funds left wherewith to maintain the Government, the total revenues from imports and exports had for years been insufficient to meet even the interest on the outstanding indebtedness, and the people of the island had been brought face to face with national bankruptcy.

In this posture of affairs the creditors of the nation, who were for the greater part Europeans, had become clamorous for the payment of arrears of interest and for the enforcement of the pledges of the revenues of the various ports of the country, which pledges it had been found necessary to violate if funds were to be had for the General Government. Protocols of the settlement of the various debts had been signed with Germany, Spain, and Italy two years previously with the terms of which it had been impossible for the Dominican Republic to comply, and the creditors had decided to invoke the aid of their Governments in the collection of what they claimed to be their due. An Italian warship was actually dispatched to Dominican waters for the enforcement of the agreements with Italian subjects. The Monroe Doctrine, indeed, seemed menaced and the Dominican Government appealed to the Government of the United States for assistance in its extremity.

This appeal for assistance led, as you know, to a plan of adjustment whereby the customhouses of the Republic were to be placed in the hands of American officials and a portion of the receipts thereof was to be held on deposit in New York for the benefit of all creditors alike. It is also a matter of history that subsequently an equitable adjustment was had with the creditors, the debt was refunded, and a convention between this Government and that of the Dominican Republic was negotiated whereby the collection and administration of the customs revenues of the Republic were placed in the hands of American officials, who were to receive from the United States "such protection as it may find to be requisite." An adequate provision for the service of the debt was made, and a new order of things thus began and has continued ever since.

The result of the operations of this arrangement has been that

the creditors now punctually receive their interest, and there is at present turned over to the Dominican Government for the purposes of defraying its current expenses an amount far in excess of what the total revenues of the Republic had previously been. Since the American management of the customs has existed it has been found possible to reduce the import tariff by approximately one-half, notwithstanding which the import duties have increased from one million eight hundred thousand dollars in 1904 to over three million three hundred thousand in 1911, while the total foreign trade of the Republic has grown from about six millions to over seventeen millions of dollars in the same period, and the annual harvest of revolutions is no longer gathered and military expenses which formerly depleted the treasury have been reduced to a minimum. . . .

Several of the republics of South America have grown great and powerful and enjoy the highest culture, fine political ideals, and stable governments. These republics, indeed, are, consciously or unconsciously, fellow sponsors with the United States of the Monroe Doctrine as a Pan-American idea as well as an American policy. The growth of such nations lightens our responsibility. The logic of political geography and of strategy and now our tremendous national interest created by the Panama Canal make the safety, the peace, and the prosperity of Central America and the zone of the Caribbean of paramount interest to the Government of the United States. Thus, the malady of revolutions and financial collapse is most acute precisely in the region where it is most dangerous to us. It is here that we seek to apply a remedy.

It would not be sane to uphold a great policy like the Monroe Doctrine and to repudiate its necessary corollaries and neglect the sensible measures which reason dictates as its safeguards.

ROBERT LANSING¹

Nearly a century has passed since President Monroe proclaimed to the world his famous doctrine as the national policy of the United States. It was founded on the principle that the safety of this

¹ Secretary of State of the United States 1915-1920. The following extract is from the address of welcome on behalf of the Department of State by Secretary Lansing to the Second Pan-American Scientific Congress, Washington, December 27, 1915. *Second Pan-American Scientific Congress. The Report of the Secretary General*, pp. 55-57.

Republic would be imperiled by the extension of sovereign rights by a European power over territory in this hemisphere. Conceived in a suspicion of monarchical institutions and in a full sympathy with the republican idea, it was uttered at a time when our neighbors to the south had won their independence and were gradually adapting themselves to the exercise of their newly acquired rights. To those struggling nations the doctrine became a shield against the great European powers, which, in the spirit of the age, coveted political control over the rich regions which the new-born States had made their own.

The United States was then a small nation, but a nation which had been tried in the fire; a nation whose indomitable will had remained unshaken by the dangers through which it had passed. The announcement of the Monroe doctrine was a manifestation of this will. It was a courageous thing for President Monroe to do. It meant much in those early days, not only to this country, but to those nations which were commencing a new life under the standard of liberty. How much it meant we can never know, since for four decades it remained unchallenged.

During that period the younger Republics of America, giving expression to the virile spirit born of independence and liberal institutions, developed rapidly and set their feet firmly on the path of national progress which has led them to that plane of intellectual and material prosperity which they to-day enjoy.

Within recent years the Government of the United States has found no occasion, with the exception of the Venezuela boundary incident, to remind Europe that the Monroe Doctrine continues unaltered a national policy of this Republic. The Republics of America are no longer children in the great family of nations. They have attained maturity. With enterprise and patriotic fervor they are working out their several destinies.

During this later time, when the American nations have come into a realization of their nationality and are fully conscious of the responsibilities and privileges which are theirs as sovereign and independent States, there has grown up a feeling that the Republics of this hemisphere constitute a group separate and apart from the other nations of the world—a group which is united by common ideals and common aspirations. I believe that this feeling is general throughout North and South America, and that year by year it has increased until it has become a potent influence over our political

and commercial intercourse. It is the same feeling which, founded on sympathy and mutual interest, exists among the members of a family. It is the tie which draws together the 21 Republics and makes of them the American family of nations.

This feeling, vague at first, has become to-day a definite and certain force. We term it the "Pan American spirit," from which springs the international policy of Pan Americanism. It is that policy which is responsible for this great gathering of distinguished men, who represent the best and most advanced thought of the Americas. It is a policy which this Government has unhesitatingly adopted and which it will do all in its power to foster and promote.

When we attempt to analyze Pan Americanism we find that the essential qualities are those of the family—sympathy, helpfulness, and a sincere desire to see another grow in prosperity, absence of covetousness of another's possessions, absence of jealousy of another's prominence, and, above all, absence of that spirit of intrigue which menaces the domestic peace of a neighbor. Such are the qualities of the family tie among individuals, and such should be, and I believe are, the qualities which compose the tie which unites the American family of nations.

I speak only for the Government of the United States, but in doing so I am sure that I express sentiments which will find an echo in every Republic represented here, when I say that the might of this country will never be exercised in a spirit of greed to wrest from a neighboring State its territory or possessions. The ambitions of this Republic do not lie in the path of conquest but in the paths of peace and justice. Whenever and wherever we can we will stretch forth a hand to those who need help. If the sovereignty of a sister Republic is menaced from overseas, the power of the United States and, I hope and believe, the united power of the American Republics will constitute a bulwark which will protect the independence and integrity of their neighbor from unjust invasion or aggression. The American family of nations might well take for its motto that of Dumas' famous musketeers, "One for all; all for one."

If I have correctly interpreted Pan Americanism from the standpoint of the relations of our Government with those beyond the seas, it is in entire harmony with the Monroe Doctrine. The Monroe Doctrine is a national policy of the United States; Pan Americanism is an international policy of the Americas. The motives are to an extent different, the ends sought are the same. Both can exist

without impairing the force of either. And both do exist and, I trust, will ever exist in all their vigor.

But Pan Americanism extends beyond the sphere of politics and finds its application in the varied fields of human enterprise. Bearing in mind that the essential idea manifests itself in cooperation, it becomes necessary for effective cooperation that we should know each other better than we do now. We must not only be neighbors, but friends; not only friends, but intimates. We must understand one another. We must comprehend our several needs. We must study the phases of material and intellectual development which enter into the varied problems of national progress. We should, therefore, when opportunity offers, come together and familiarize ourselves with each other's processes of thought in dealing with legal, economic, and educational questions.

ANDREW J. MONTAGUE¹

Some misunderstanding of the Monroe Doctrine grows out of a failure to appreciate that it is contained in two widely separated paragraphs in the message of President Monroe of December 2, 1823, which really involve two distinct subjects. The first paragraph, number seven, is as follows:

At the proposal of the Russian imperial government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg, to arrange, by amicable negotiation, the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal has been made by his Imperial Majesty to the government of Great Britain, which has likewise been acceded to. . . . In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle in which the rights of the United States are involved, *that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.*

In 1821 the Czar of Russia by ukase assumed to exclude foreigners from commerce, navigation and fishing within one hundred miles

¹ Formerly Governor of Virginia; Member of Congress from Virginia 1913-1923. The address from which the following extract is taken was delivered before the Nineteenth Annual Meeting of the State Bar Association of Indiana, held at Indianapolis, Indiana, July 7 and 8, 1915. *Report of the Association for 1915*, pp. 143-45, 160-63.

of the northwest coast of America from Bering Straits to the 51st parallel of latitude. The exigency confronting the United States was Russia's purpose to appropriate this vast territory. John Quincy Adams, Secretary of State, at a cabinet meeting in June, 1823, protested the right of Russia or any other European power to colonize this territory, and, on July 17, he apprised Baron Tuyl, the Russian minister at Washington,

that we (the United States) should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for any new European colonial establishments.

The words, "colonial establishments," employed by Adams, are synonymous with the words "future colonization," found in the above paragraph of the Monroe message. It should be noted that while this declaration as to "future colonization" is applicable to the whole of this hemisphere, yet, as a matter of fact, the thought at the time related solely to our territorial claims to the northwest coast of America. The protest was intended to protect our claims against encroachment by Russia or any other European power, and well has this declaration served its purpose, for no colony has been established in America in the nearly one hundred years since Monroe's message.

It is pertinent to recall that it was not generally conceded at the time that the American continents were wholly settled by civilized nations, and that vast areas of territory still remained without actual occupation. In this connection it may be said that colonization in 1823 is not that of today, but rather of Rome and Athens,—a province or dependency of the mother state.

This pronouncement has, however, been believed by some to prevent the transfer by an European power of its colony in America to any other European power. This was not the issue that confronted Monroe, and his words can not fairly convey so extensive a prohibition, for it is impossible to think that this language would have been applicable to prevent the cession at that time of Cuba by Spain to Portugal, or of Canada by Great Britain to Belgium or Norway, or some small state. For it is obvious that neither of these cessions would then have constituted an "unfriendly act" to the United States, or have been considered dangerous to its peace or safety. . . .

The doctrine implies no superiority on the part of the United

States among the nations of this hemisphere. It simply means that the new-world life and the new-world problems can best be understood and solved by those in concrete touch and sympathy with new-world conditions. Therefore, we are of necessity the better judges of the dangers resulting from the extension and application of the old-world political systems to the republics of the American continents.

With commerce the doctrine has no concern whatever. It accords the utmost freedom of trade to all nations, but denies the right of those engaged in commerce to cloak under its activities the extension of governmental power or the acquisition of territory. And also to acquire jurisdiction or territory through the operations of business corporations,—for example, such as the supposed fishery privileges in the Magdalena Bay,—collides with the modern understanding of the doctrine; the principle being that the agencies of commerce should not assume the functions of government, for otherwise they may run athwart the genius of the declaration.

The Monroe Doctrine does not prohibit the accustomed international remedies for wrongs inflicted although accompanied by forcible occupation, provided that no territory is sought to be acquired as incident to the employment of force. . . .

Moreover, the Monroe Doctrine does not controvert the right of European governments to protect their own interests in Latin America, provided that the protection of interests, and not the aggrandizement of power or territory, is the end sought. The misapprehension of the doctrine in this particular has been unfortunate both as respects Europe and Latin America. Europe seems to have industriously disseminated the idea that if the right of protection of their own interests in Latin America is denied by the United States, then the latter is the mandatory to protect these interests and to vindicate these rights; in short, that if the United States denies protection it must itself afford protection. Some of the Latin American people are quick to interpret this European figment as demonstrating hegemonic pretensions on the part of the United States. The true Monroe Doctrine warrants no such interpretation; it admits of the exercise of no authority or power by the United States in any way hostile to the people of Latin America. Hegemony, suzerainty or overlordship are therefore arbitrary interpretations. This straw man has sometimes borne to the sensitive Latin American the port and mien of flesh and blood, and when thus observed

by distorted vision the faithful friend becomes a menacing tyrant. I repeat, the right of intervention in Latin America by nations is based upon recognized international usage; namely, self-protection, or the right to assist a distressed nation for its own benefit. These rights the Monroe Doctrine does not deny to any European power. But the doctrine does authorize the United States to scrutinize the good faith of such an enterprise.

It is this arbitrary construction of the Monroe Doctrine that has aroused to some extent the jealousy of Latin America, and which has been prejudicial to friendship and commerce with the United States. Our government and our people should exert themselves to the utmost to dispel these hegemonic illusions. The interests of the republics of the north and of the south do not conflict, and it should be no insuperable task to unite all of these governments in harmonious recognition of the fundamental principles of the Monroe Doctrine.

Continuing the process of exclusion, I may observe that the Monroe Doctrine is not a rule of international law in a technical sense. It only purports to be a doctrine or a policy. Moreover, it is not necessarily a permanent policy of the United States. One administration can not bind another. One Congress can not bind its successor. Indeed, the voice of the sovereign people is neither permanent nor irrevocable. This mighty voice may declare and may recall with equal right and facility. In what sense, therefore, does the doctrine approximate a permanent policy? Plainly by reason of continuous insistence by the United States, and of long recognition by the nations of the world. Since the advent of the doctrine nearly a century ago no nation has openly defied or broken its principles. The Maximilian incursion into Mexico was an initial breach quickly atoned by the explicit action of France. Again, in the controversy between Venezuela and Great Britain in relation to the boundary of British Guiana, wherein Venezuela asserted that Great Britain was unjustly endeavoring to acquire territory as an incident to the establishment of the disputed boundary, thereby involving a possible breach of the Monroe Doctrine, and in view of which the United States requested an arbitration of the dispute, which was acceded to by Great Britain, thus recognizing the doctrine by necessary implication. In this connection it should not be overlooked that England gave assurance that no territory was sought to be acquired by means of territorial delimitation, just as similar assur-

ances had been made beforehand by Spain, France and Germany in the controversy with Mexico. So the policy is established by time, circumstance, and recognition. Suppose, for example, that no recognition had been given to this policy by European nations,—it is pertinent to inquire, what would have become by this time of the republics of the new world? However, deeper than the letter of the law is the insistent fact that the basis of the doctrine is one of self-defense, which is universally recognized as a fundamental principle of international law. Therefore, it is submitted that the doctrine in its last and just analysis rests upon the elementary principle of the law of nations.

JOHN BASSETT MOORE¹

In connection with the principle of non-intervention, a prominent place must be given to the Monroe Doctrine, the object of which was to render intervention unnecessary by precluding the occasions for it. On September 26, 1815, the Emperors of Austria and Russia, and the King of Prussia, signed at Paris a personal league commonly called the Holy Alliance, the design of which was declared to be the administration of government, in matters both internal and external, according to the precepts of justice, charity and peace. To this end the allied monarchs, "looking upon themselves as delegated by Providence" to rule over their respective countries, engaged to "lend one another, on every occasion and in every place, assistance, aid, and support." In the course of time, as revolt against the arrangements of the Congress of Vienna spread and grew more pronounced, the alliance came more and more to assume the form of a league for the protection of the principle of legitimacy—the principle of the divine right of kings as opposed to the rights of the people—against the encroachments of liberal ideas. Congresses were held at Aix-la-Chapelle, Troppau and Laybach, for the purpose of maturing a programme to that end. The league was joined by the King of France; but England, whose Prince Regent had originally

¹ Judge of the Permanent Court of International Justice; Member of the Permanent Court of Arbitration at The Hague. The following extract is from Judge Moore's work *The Principles of American Diplomacy* (Harper and Brothers, New York, 1918), pp. 238-69.

given it his informal adhesion, began to grow hostile. Her own government, with its free and parliamentary institutions, was founded on a revolution; and the allies, in the circular issued at Troppau, had associated "revolt and crime," and had declared that the European powers "had an undoubted right to take a hostile attitude in regard to those states in which the overthrow of the government might operate as an example." In a circular issued at Laybach they denounced "as equally null, and disallowed by the public law of Europe, any pretended reform effected by revolt and open force." In October, 1822, they held a congress at Verona for the purpose of concerting measures against the revolutionary government in Spain; and in yet another circular announced their determination "to repel the maxim of rebellion, in whatever place and under whatever form it might show itself." Their ultimate object was more explicitly stated in a secret treaty in which they engaged mutually "to put an end to the system of representative governments" in Europe, and to adopt measures to destroy "the liberty of the press." Popular movements were forcibly suppressed in Piedmont and Naples; and in April, 1823, France, acting for the allies, invaded Spain, for the purpose of restoring the absolute monarch Ferdinand VII. Before the close of the summer such progress had been made in this direction that notice was given to the British government of the intention of the allies to call a congress with a view to the termination of the revolutionary governments in Spanish America. At this time Lord Castlereagh, who had always been favorably disposed towards the alliance, had been succeeded in the conduct of the foreign affairs of England by George Canning, who reflected the popular sentiment as to the policy of the allied powers. The independence of the Spanish-American governments, which had now been acknowledged by the United States, had not as yet been recognized by Great Britain. But English merchants, like those of the United States, had developed a large trade with the Spanish-American countries, a trade which the restoration of those regions to a colonial condition would, under the commercial system then in vogue, have cut off and destroyed.

In view of this common interest, Canning, in the summer of 1823, began to sound Richard Rush, the American minister at London, as to the possibility of a joint declaration by the two governments against the intervention of the allies in Spanish America. Canning once boasted that he had called into being the New World to redress

the balance of the Old. The meaning of this boast can be understood only in the light of his proposals. In a "private and confidential" note to Rush, of August 23, 1823, he declared: "1. We conceive the recovery of the colonies by Spain to be hopeless. 2. We conceive the question of the recognition of them, as independent states, to be one of time and circumstances. 3. We are, however, by no means disposed to throw any impediment in the way of an arrangement between them and the mother-country by amicable negotiation. 4. We aim not at the possession of any portion of them ourselves. 5. We could not see any portion of them transferred to any other power with indifference." If these opinions and feelings were shared by the United States, Canning thought that the two governments should declare them in the face of the world, as the best means of defeating the project, if any European power should cherish it, of subjugating the colonies in the name of Spain, or of acquiring any part of them itself by cession or by conquest. He therefore desired Rush to act upon his proposals at once, if he possessed the power to do so. It was said of Richard Rush by an eminent Senator that, in the course of an unusually long and important diplomatic career, he "never said a word that was improper, nor betrayed a thought that might peril his country's fortunes." On the present occasion, he acted with his usual good judgment. His powers did not embrace the making of such a declaration as Canning desired; but, while he expressed the opinion that Canning's sentiments, except as to independence, which the United States had already acknowledged, were shared by his government, he lost no time in reporting the matter to the President. Monroe, on receiving the correspondence, hastened to take counsel upon it. Jefferson, whose opinion was solicited, replied: "Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs." He was disposed to look with favor upon cooperation with England in the direction suggested. Madison shared his opinion. In the cabinet of Monroe, Calhoun inclined to invest Rush with power to join England in a declaration, even if it should pledge the United States not to take either Cuba or Texas. The President at first inclined to Calhoun's idea of giving Rush discretionary powers, but this was opposed by John Quincy Adams, who maintained that we could act with England only on the basis of the acknowledged independence of the Spanish-American states. The

views of Adams prevailed. His basal thought was the right of self-government, which he believed it to be the duty and the interest of the United States to cherish and support. He thought that the United States should let England make her own declaration. This England did, without waiting for the decision of the United States. On October 9, 1823, Canning, in an interview with Prince de Polignac, French ambassador, declared that while Great Britain would remain "neutral" in any war between Spain and her colonies, the "junction" of any foreign power with Spain against the colonies would be viewed as constituting "entirely a new question," upon which Great Britain "must take such decision" as her interests "might require."

In his annual message to Congress of December 2, 1823, President Monroe devoted to the subject a long passage. The substance of it is, however, conveyed in a few sentences. After adverting to the abstention of the United States from European wars and to the dangers to be apprehended from the system of the allied powers, he declared: "We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than a manifestation of an unfriendly disposition towards the United States."

The sentences just quoted specially relate to the aims of the Holy Alliance; but there is another passage in the message which is also often cited as embodying the Monroe Doctrine. In 1821 the Emperor of Russia, as we have seen, issued a ukase, by which he assumed, as owner of the shore, to exclude foreigners from carrying on commerce and from navigating and fishing within a hundred Italian miles of the northwest coast of America, from Bering Straits down to the fifty-first parallel of north latitude. As this assertion of title embraced territory which was claimed by the United States as well as by Great Britain, both those governments protested against it, as well as against the exorbitant jurisdictional pretension with which

it was associated. In consequence the Russian government proposed to adjust the matter by amicable negotiation; and instructions to that end were prepared by John Quincy Adams for the American ministers at London and St. Petersburg. At a meeting of the cabinet on June 28, 1823, while the subject was under discussion, Adams expressed the opinion that the claim of the Russians could not be admitted, because they appeared to have no "settlement" upon the territory in dispute; and on July 17 he informed Baron Tuyl, then Russian minister at Washington, "that we [the United States] should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for *any* new European colonial establishments." With reference to this subject, President Monroe, in the message above quoted, said: "In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers."

By the term "future colonization," President Monroe evidently intended to convey the same meaning as was expressed by the terms "settlement" and "colonial establishments" previously employed by Adams. They were used to denote, what they were then commonly understood to mean, the acquisition of title to territory by original occupation and settlement. But in the course of time the phrase "future colonization" came to receive a broader interpretation. President Polk, in his annual message of December 2, 1845, declared that, while existing rights of every European nation should be respected, it should be "distinctly announced to the world as our settled policy, that no future European colony or dominion shall, with our consent, be planted or established on any part of the North American continent." By pronouncing against the establishment by a European power of any "dominion"—a term which included even the voluntary transfer of territory already occupied—President Polk expressed a conception which has come generally to prevail, and which is embodied in the popular phrase: "No more European colonies on these continents." The same meaning is conveyed in the phrase—"America for the Americans," which signifies

that no European power shall be permitted to acquire new territory or to extend its dominions in the Western Hemisphere.

In this sense, but apparently with the qualification in the particular case that only a forcible acquisition of territory was forbidden, the Monroe Doctrine was invoked by President Cleveland in respect of the Venezuelan boundary question. This incident, as is well known, grew out of a long-standing dispute between Great Britain and Venezuela, which was the continuation of a dispute two centuries old between the Netherlands and Spain as to the limits of the Dutch and Spanish settlements in Guiana. In 1844 Lord Aberdeen proposed to Venezuela a conventional line, beginning at the river Moroco. This proposal was declined; and, chiefly in consequence of civil commotions in Venezuela, negotiations remained practically in abeyance till 1876. Venezuela then offered to accept the Aberdeen line; but Lord Granville suggested a boundary farther west; and in subsequent negotiations the British demand was extended still farther in that direction. Venezuela, representing that this apparent enlargement of British dominion constituted a pure aggression on her territorial rights, invoked the aid of the United States on the ground of the Monroe Doctrine. Venezuela asked for arbitration, and in so doing included in her claim a large portion of British Guiana. Great Britain at length declined to arbitrate unless Venezuela would first yield all territory within a line westward of that offered by Lord Aberdeen. In these circumstances, Mr. Olney, as Secretary of State, in instructions to Mr. Bayard, American ambassador at London, of July 20, 1895, categorically inquired whether the British government would submit the whole controversy to arbitration. In these instructions Mr. Olney declared that the Monroe Doctrine did not establish a "protectorate" over other American states; that it did not relieve any of them "from its obligations as fixed by international law nor prevent any European power directly interested from enforcing such obligations or from inflicting merited punishment for the breach of them"; but that its "single purpose and object" was that "no European power or combination of European powers" should "forcibly deprive an American state of the right and power of self-government and of shaping for itself its own political fortunes and destinies." This principle he conceived to be at stake in the dispute between Great Britain and Venezuela, because, as the dispute related to territory, it necessarily imported "political control to be lost by one party

and gained by the other." "To-day," declared Mr. Olney, "the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition." All the advantages of this superiority were, he affirmed, at once imperilled if the principle should be admitted that European powers might convert American states into colonies or provinces of their own. Lord Salisbury declined unrestricted arbitration; and, when his answer was received, President Cleveland, on December 17, 1895, laid the correspondence before Congress. "If a European power, by an extension of its boundaries, takes possession of the territory of one of our neighboring republics against its will and in derogation of its rights," it was, said President Cleveland, the precise thing which President Monroe had declared to be "dangerous to our peace and safety"; but he added that "any adjustment of the boundary which that country [Venezuela] may deem for her advantage and may enter into of her own free will cannot of course be objected to by the United States." He then recommended the appointment by the United States of a commission to investigate the merits of the controversy, and declared that, if the title to the disputed territory should be found to belong to Venezuela, it would be the duty of the United States "to resist by every means in its power, as a wilful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which, after investigation, we have determined of right belongs to Venezuela." This declaration produced great excitement, in the United States as well as in England. So far as it seemed to imply, as the language has often been construed to do, that the United States possessed the right, by means of an *ex parte* commission, appointed by itself and composed of its own citizens, authoritatively to fix the boundary between two other independent nations, it went beyond the immediate necessities of the case. If the commission had ever reported, it is probable that its conclusions, which conceivably might not have been entirely acceptable either to Great Britain or to Venezuela, would have been treated as advisory rather than definitive, and would have been made the basis of further correspondence with both those governments. The actual position intended to be insisted upon, as appears by Mr. Olney's instructions to Mr. Bayard, as well as the rest of President Cleveland's message, was that the United States would resist the palpable and substantial encroachment upon and appropriation by

Great Britain of Venezuelan territory. This position was quite in harmony with the spirit of the Monroe Doctrine. Congress unanimously provided for the appointment of a commission of investigation; but the commission, immediately after its organization, addressed to Mr. Olney, through its president, Mr. Justice Brewer, a letter setting forth its peaceful and non-partisan character and the desirability of securing the cooperation of Great Britain and Venezuela in obtaining evidence. At the close of his letter, Mr. Justice Brewer observed: "The purposes of the pending investigation are certainly hostile to none, nor can it be of advantage to any that the machinery devised by the government of the United States to secure the desired information should fail of its purpose." This statement was communicated to Great Britain as well as to Venezuela, and both governments promptly responded to the appeal. The labors of the commission were, however, brought to a close by the conclusion of a treaty of arbitration, signed by Great Britain and Venezuela, but negotiated between Great Britain and the United States, the predominant feature of which was the application of the principle of prescription, under the definite rule that fifty years' adverse holding of a district, either by exclusive political control or by actual settlement, should suffice to constitute national title. The adoption of the principle of prescription, on which the arbitrators would necessarily have acted, even if it had not been incorporated into the treaty, at once rendered nugatory the greater part of the Venezuelan claim. Although the extreme British claim was not allowed, the territorial results of the arbitration were decidedly favorable to that government. It must, however, be conceded that the most important political result of the Venezuelan incident was not the decision upon the territorial question, but the official adoption of the Monroe Doctrine by the Congress of the United States, and its explicit acceptance by the principal maritime power of Europe.

An official exposition of the Monroe Doctrine was given by President Roosevelt in his annual message of December 3, 1901, in which he said: "The Monroe Doctrine is a declaration that there must be no territorial aggrandizement by any non-American power at the expense of any American power on American soil. It is in no wise intended as hostile to any nation in the Old World. . . . This doctrine has nothing to do with the commercial relations of any American power, save that it in truth allows each of them to form such as it desires. . . . We do not guarantee any state against

punishment if it misconducts itself, provided that punishment does not take the form of the acquisition of territory by any non-American power." An occasion for the practical application of this definition soon arose. On December 11, 1901, the German ambassador at Washington, in a promemoria reviewing the German claims against Venezuela and the latter's refusal to admit diplomatic interposition in the matter, stated that, if Venezuela should persist in this refusal, the German government, after delivering an ultimatum, would have to consider as a measure of coercion the blockade of the more important Venezuelan ports and, if this did not suffice, their "temporary occupation" and the "levying of duties" therein, but especially declared "that under no circumstances do we consider in our proceedings the acquisition or the permanent occupation of Venezuelan territory." In acknowledging the receipt of this memorandum, on December 16th, Mr. Hay adverted to the fact that the German ambassador, on his then recent return from Berlin, had conveyed personally to the President, and had afterwards repeated to himself, the assurance of the German Emperor that the Imperial government had no purpose or intention to make even the smallest acquisition of territory on the South American continent or the adjacent islands; and in view of this circumstance, and of the further assurance given in the memorandum, Mr. Hay, quoting in his note President Roosevelt's definition of December 3d, replied that the President, "appreciating the courtesy of the German government in making him acquainted" with the situation, but "not regarding himself as called upon to enter into the consideration of the claims in question," believed that "no measures" would be taken which were "not in accordance with the well-known purpose" of the German Emperor, as set forth in the promemoria.

No coercive measures were taken till a year later, when Germany, Great Britain, and Italy instituted a blockade of certain Venezuelan ports. Prior to taking this step Great Britain, on November 13, 1902, also gave an assurance similar to that of Germany regarding the permanent occupation of territory, to which Mr. Hay replied that the government of the United States, although it "regretted that European powers should use force against Central and South American governments, could not object to their taking steps to obtain redress for injuries suffered by their subjects, provided that no acquisition of territory was contemplated."

The blockade, which was instituted only in December, 1902,

ended on February 14-15, 1903, after President Castro had abandoned his previously persistent refusal to arbitrate. When the blockade was begun the minister of the United States at Caracas, with the permission of his government and the assent of Venezuela, took charge of British and of German interests in that country; and he afterwards assisted in arranging terms of arbitration. It was agreed that the claims of all foreign governments against Venezuela should be referred to mixed commissions at Caracas, sitting under conventions severally concluded by those governments with Venezuela; and that a demand made by the blockading powers for the preferential payment, in point of time, of awards made in their favor, as against awards made in favor of the non-blockading powers, should be referred to the Permanent Court at The Hague. The Permanent Court, in a suit to which the United States was a party, sustained this demand; and, in setting forth the grounds of its decision, particularly recited the fact that the non-blockading powers, including the United States, had never, pending the employment of measures of coercion, protested against the assertion by the blockaders of a right to special securities. It also adverted to the circumstances that, prior to the blockade, the Venezuelan government "categorically refused to submit its dispute with Germany and Great Britain to arbitration, which was proposed several times, and especially by the note of the German government of July 16, 1901."

Of the blockade and its ending, and of his own part in the transaction, President Roosevelt gave, in a speech at Chicago, April 2, 1903, the following narrative:

The concern of our government was of course not to interfere needlessly in any quarrel so far as it did not touch our interests or our honor, and not to take the attitude of protecting from coercion any power unless we were willing to espouse the quarrel of that power, but to keep an attitude of watchful vigilance and see that there was no infringement of the Monroe Doctrine, no acquirement of territorial rights by a European power at the expense of a weak sister republic—whether this acquisition might take the shape of an outright and avowed seizure of territory or of the exercise of control which would in effect be equivalent to such seizure. . . . Both powers assured us in explicit terms that there was not the slightest intention on their part to violate the principles of the Monroe Doctrine, and this assurance was kept with an honorable good faith which merits full acknowledgment on our part. At the same time, the existence of hostilities in a region so near our own borders was fraught with such possibilities of danger in the future that it was obviously no less our duty to ourselves than our duty to humanity to endeavor to put an end to that. Accordingly, by an offer of our good services in a spirit of frank friendliness to all

the parties concerned, a spirit in which they quickly and cordially responded, we secured a resumption of peace—the contending parties agreeing that the matters which they could not settle among themselves should be referred to The Hague Tribunal for settlement.¹

In popular discussions the position has sometimes been urged that it is a violation of the Monroe Doctrine for a European power to employ force against an American republic for the purpose of collecting a debt or satisfying a pecuniary demand, no matter what may have been its origin. For this supposition there appears to be no published official sanction. It is true that a certain color is given to it by the citation in Wharton's *International Law Digest*, under the head of the "Monroe Doctrine," of two alleged manuscript instructions of Mr. Blaine to the American minister at Paris, of July 23 and December 16, 1881, as authority for the statement that "the government of the United States would regard with grave anxiety an attempt on the part of France to force by hostile pressure the payment by Venezuela of her debt to French citizens." The statement, however, is wholly inadvertent. Both instructions are published in the volume of *Foreign Relations* for 1881; and they refer, not to "hostile pressure," but to a rumored design on the part of France of "taking forcible possession of some of the harbors and a portion of the territory of Venezuela in compensation for debts due to citizens of the French Republic." Even in regard to this they nowhere express "grave anxiety," but merely argue that such a proceeding would be unjust to other creditors, including the United States, since it would deprive them of a part of their security; while they avow the "solicitude" of the government of the United States "for the higher object of averting hostilities between two republics for each of which it feels the most sincere and enduring friendship." In 1861 the government of the United States admitted the right of France, Spain, and Great Britain to proceed jointly against Mexico for the satisfaction of claims. "France," said Mr. Seward on that occasion, in an instruction to the American minister at Paris, of June 26, 1862, "has a right to make war against Mexico, and to determine for herself the cause. We have the right and interest to insist that France shall not improve the war she makes to raise up an anti-republican or anti-American government, or to maintain such a government there." In a similar vein, Mr. Seward, writing to the American minister in Chile, on June 2, 1866, with reference

¹ *Addresses and Presidential Messages of Theodore Roosevelt*, 1902-04, pp. 117-120.

to the hostilities then in progress between Spain and the republics on the west coast of South America, and particularly to the bombardment of Valparaiso by the Spanish fleet, declared that the United States did not intervene in wars between European and American states "if they are not pushed, like the French war in Mexico, to the political point"; that the United States had "no armies for the purpose of aggressive war; no ambition for the character of a regulator."

The supposition is further discredited by the course of President Roosevelt and Mr. Hay in the case of the Venezuelan blockade. In addition to the declarations and acts which have already been mentioned, it is important to recall their response on the same occasion to the note of the Argentine government of December 29, 1902, signed by Señor Luis M. Drago, then Minister of Foreign Relations, enunciating the "doctrine" that "the public debt cannot give rise to armed intervention nor even the actual occupation of the territory of American nations by a European power." Mr. Hay, on February 17, 1903, quoting President Roosevelt's definition of the Monroe Doctrine in the annual message of December 3, 1901, and an analogous passage in the annual message of December 2, 1902, declined to commit the United States to the Drago declaration.¹

A tendency is often exhibited to attach decisive importance to particular phrases in President Monroe's message of 1823, or to the special circumstances in which it originated, as if they furnished a definitive test of what should be done and what should be omitted under all contingencies. The verbal literalist would, on the one hand, make the United States an involuntary party to all controversies between European and American governments, in order that the latter may not be "oppressed"; while the historical literalist would, on the other hand, treat Monroe's declarations as obsolete, since the conditions to which they specially referred no longer exist. But, when we consider the mutations in the world's affairs, these modes of reasoning must be confessed to be highly unsatisfactory. The "Monroe Doctrine" has in reality become a convenient title by which is denoted a principle that doubtless would have been wrought out if the message of 1823 had never been written—the principle of the limitation of European power and influence in the Western Hemisphere. We have seen, in the first paper in this series, that, as early as 1778, the continental congress, in the treaty of alliance with

¹ *Foreign Relations of the United States*, 1903, pp. 1-6.

France, obtained from its ally the renunciation of any claim to the British possessions in North America. When Washington, in his Farewell Address, observed that Europe had "a set of primary interests, which to us have none, or a very remote relation," he lent emphasis to the thought that it was desirable, so far as possible, to dissociate America from the vicissitudes of European politics. Giving to this thought a further reach, Jefferson, while President, in 1808, declared: "We shall be satisfied to see Cuba and Mexico remain in their present dependence; but very unwilling to see them in that of either France or England, politically or commercially. We consider their interests and ours as the same, and the object of both must be to exclude European influence from this hemisphere." On January 15, 1811, twelve years before Monroe's message was published, Congress, in secret session, "taking into view the peculiar situation of Spain and her American provinces," and "the influence which the destiny of the territory adjoining the southern border of the United States might have upon their security, tranquillity, and commerce," resolved that the United States could not, "without serious inquietude, see any part of said territory pass into the hands of any foreign power"; and the President was authorized to occupy all or any part of the Floridas, "in the event of an attempt to occupy the same, or any part thereof, by any foreign government." These incidents and avowals, although they detract nothing from the force of Monroe's declarations, with which they are indeed in entire harmony, point to the rational conclusion that those declarations are to be considered rather as an important expression than as the exclusive and final test of American policy. In the long struggle, which was eventually crowned with success, to exclude European domination from the interoceanic canal routes, and to secure the construction of a neutralized canal under American auspices, American statesmen no doubt were aided by the authority of Monroe's declarations, but were by no means dependent upon them. It is a remarkable fact that Seward, neither in the formal demand upon France in 1865 to desist from armed intervention in Mexico for the purpose of overthrowing the domestic republican government under Juarez and establishing on its ruins the foreign imperial government under Maximilian, nor in any of the official correspondence relating to the subject, mentioned the Monroe Doctrine, although his action came within the letter as well as the spirit of the message of 1823. President Polk, on the other hand, in pronouncing against the acquisition

of new dominion in North America by a European power, although he was well within the limits of the Monroe Doctrine as it is now understood, invoked a passage that fell far short of sustaining his position. It would be easy to cite many similar examples.

The Monroe Doctrine, as a limitation upon the extension of European power and influence on the American continents, is now generally recognized as a principle of American policy. To its explicit acceptance by Great Britain and Germany there may be added the declaration which was spread by unanimous consent upon the minutes of The Hague Conference, and which was permitted to be annexed to the signature of the American delegates to the convention for the peaceful adjustment of international disputes, that nothing therein contained should be so construed as to require the United States "to depart from its traditional policy of not entering upon, interfering with, or entangling itself in the political questions or international administration of any foreign state," or to relinquish "its traditional attitude towards purely American questions."

An important development of the Monroe Doctrine was made by President Roosevelt in the case of Santo Domingo. In a letter read in New York, in May, 1904, at a dinner held to celebrate the anniversary of Cuban independence, he said: "Any country whose people conduct themselves well can count upon our hearty friendliness. If a nation shows that it knows how to act with decency in industrial and political matters; if it keeps order and pays its obligations—then it need fear no interference from the United States. Brutal wrong-doing, or impotence which results in the general loosening of the ties of civilized society, may finally require intervention by some civilized nation, and in the Western Hemisphere the United States cannot ignore its duty." These declarations President Roosevelt repeated, with only slight changes in phraseology, in his annual message to Congress in the following December. On February 15, 1905, he transmitted to the Senate, for its advice and consent, a treaty concluded at Santo Domingo City on the 7th of the same month, under which the United States agreed to undertake the adjustment of all Dominican debts, foreign and domestic, and to that end to take charge of and administer the custom-houses. In the message accompanying the treaty, President Roosevelt stated that conditions in Santo Domingo had for many years been growing steadily worse, that there had been many disturbances and revolutions, and that debts had been contracted beyond the power of the

republic to pay. Those who profited by the Monroe Doctrine must, he affirmed, accept certain responsibilities along with the rights which it conferred; and the justification for assuming the responsibility proposed in the present instance was to be found in the fact that it was incompatible with international equity for the United States to refuse to allow other powers to take the only means at their disposal of satisfying the claims of their citizens and yet to refuse itself to take any such steps. Under the Monroe Doctrine the United States could not, said President Roosevelt, see any European power "seize and permanently occupy" the territory of an American republic, and yet such seizure might eventually offer the only way in which such a power could collect any debts, unless the United States should interfere. Under such circumstances the United States should take charge of the custom-houses. In the course of his message he further said: "Either we must abandon our duty under our traditional policy towards the Dominican people, who aspire to a republican form of government while they are actually drifting into a condition of permanent anarchy, in which case we must permit some other government to adopt its own measures in order to safeguard its own interests, or else we must ourselves take seasonable and appropriate action." And in conclusion he avowed the belief that the proposed treaty afforded a "practical test of the efficiency of the United States government in maintaining the Monroe Doctrine." The Senate adjourned without taking a vote on the treaty, final action on which was thus deferred. Meanwhile, under a *modus vivendi* concluded by President Roosevelt, an American citizen designated by him was placed by the Dominican government in charge of the collection of the revenues, a certain proportion of which was to be deposited in a bank in New York, on account of the claims of creditors, till the question of ratification of the treaty should be definitely determined.

Subsequently, negotiations were taken up on different lines, to the extent of endeavoring to bring about a prior settlement of debts between Santo Domingo and her creditors, instead of leaving them to future adjustment by the United States. By a protocol between the United States and the Dominican Republic of January 31, 1903, the latter had already agreed to pay the sum of \$4,500,000, on terms to be fixed by arbitrators, in full settlement of the claims of the San Domingo Improvement Company and certain other American companies allied with it, including indemnity for their relinquish-

ment to the government of their properties and interests, including a railway. The arbitrators, on July 14, 1904, with the concurrence of their Dominican colleague, unanimously awarded that the stipulated sum should be paid in certain monthly instalments, and assigned as security the revenues of the custom-houses within a definite district. They also authorized the appointment of a financial agent by the United States to supervise the collection of such revenues, the San Domingo Improvement Company having previously exercised a general supervision over the customs under its contracts with the Dominican government.

It was estimated that the total debts of the Dominican Republic amounted nominally to more than \$30,000,000. An adjustment was in the end conditionally effected by the Dominican government of substantially all its debts, internal as well as foreign; and on this basis there was concluded on February 8, 1907, a new treaty by which the government was to issue new bonds to the amount of \$20,000,000, payable in fifty years, if not sooner redeemed, and bearing interest at the rate of five per cent. On the other hand, it was agreed that the President of the United States should appoint a general receiver of Dominican customs to collect, with the aid of assistants similarly appointed, all the customs duties of the republic till all the bonds should be paid or retired, the United States engaging to give to the general receiver and his assistants "such protection" as it might "find to be requisite for the performance of their duties." No intervention beyond this in Dominican affairs was provided for.

This treaty was ratified by the Senate of the United States and by the Dominican Congress, and the ratifications were exchanged on July 8, 1907. It was duly carried into effect.

December 1, 1909, Mr. Knox, as Secretary of State, notified Señor Rodriguez, Nicaraguan *chargé d'affaires* at Washington, that the United States had decided no longer to recognize the government of President Zelaya in Nicaragua, and that Señor Rodriguez's functions as the diplomatic representative of that government were at an end. Passports were enclosed to him, in case he should wish to leave the United States; but he was informed that, in case he should remain in Washington, he would be received on the same footing as the representatives of the revolutionary factions in control of the eastern and western parts of the country; that is to say, as an "unofficial channel" of communication with "*de facto* authorities,"

who, pending the establishment in Nicaragua of a government with which the United States could maintain diplomatic relations, would be held severally accountable for the protection of American interests in the districts which they respectively occupied. The reasons given for this step were (1) that President Zelaya had repeatedly violated the Washington conventions of 1907, which were designed to preserve the neutrality of Honduras and maintain peace in Central America, and had kept Central America in continuous turmoil; (2) that he had practically destroyed republican institutions and free and orderly government in Nicaragua; (3) that he had caused two American citizens, concerned in a revolutionary movement, to be executed with "barbarous cruelties," had menaced the American consulate at Managua, and had by "petty annoyances and indignities" made it impossible for the American minister longer to reside there; (4) that his rule had produced a condition of anarchy in which, responsible government having ceased to exist, the United States was obliged to look to factions in *de facto* control of particular districts for the protection of American life and property.

January 10, 1911, Mr. Knox signed a loan convention with Honduras, for the purpose of rehabilitating the national finances. The Senate of the United States failed to ratify it. A similar fate awaited a treaty concluded with Nicaragua, June 6, 1911, which contemplated a loan by American bankers and followed the lines of the Dominican receivership. These efforts were popularly assailed as "dollar diplomacy." The aid of American bankers was indeed to a certain extent actually obtained. In August, 1912, in the midst of disorders, the United States, on the request of the Nicaraguan President, landed marines, explaining that it did so for the defence of its legation and the protection of American life and property, but declaring that the conditions that had prevailed under President Zelaya could not be restored. The marines had several encounters with revolutionists, and a detachment remained at the capital.

Subsequently Mr. Knox made a tour of the countries of Central America, as well as of Panama, Venezuela, Haiti, Santo Domingo, and Cuba. He sought to dispel apprehensions concerning the attitude of the United States, and particularly concerning the application of the Monroe Doctrine, which, in a speech at Panama, he said, would "reach the acme of its beneficence when it is regarded by the people of the United States as a reason why we should constantly respond to the needs of those of our Latin-America neighbors

who may find necessity for our assistance in their progress towards better government or who may seek our aid to meet their just obligations and thereby to maintain honorable relations to the family of nations."

In his opening address to the Second Pan-American Scientific Congress on December 27, 1915, Mr. Lansing, as Secretary of State, observing that the Monroe Doctrine was "founded on the principle that the safety of this Republic would be imperiled by the extension of sovereign rights by a European power over territory in this hemisphere," said that the United States had "within recent years . . . found no occasion, with the exception of the Venezuelan boundary incident, to remind Europe that the Monroe Doctrine continues unaltered a national policy of this Republic. Meanwhile, the American republics had "attained maturity"; and from the feeling that they constituted "a group, separate and apart from the other nations of the world" and "united by common ideals and common aspirations," there had resulted the "international policy of Pan-Americanism."

Addressing the same body on January 6, 1916, President Wilson, while declaring that the United States had proclaimed the Monroe Doctrine "on her own authority," and always had maintained and always would maintain it "upon her own responsibility," stated that it "demanded merely that European governments should not attempt to extend their political system to this side of the Atlantic." But, as it did not "disclose the use which the United States intended to make of her power," there had come to exist among the States of America an uncertainty which must be removed by establishing "the foundations of amity so that no one will hereafter doubt them."

RICHARD OLNEY¹

It has not been uncommon to treat the predominance of the European concert and the American primacy of the United States under the Monroe Doctrine as things of substantially the same nature. But, except as the United States and the European concert

¹ Secretary of State of the United States 1895-1897. The address from which the present extract is taken was delivered before the American Society of International Law at its first annual meeting in 1907. See *Proceedings*, 1907, pp. 224-25.

each outclass all probable antagonists of their respective policies in point of military strength, there is no real resemblance. The European concert practically takes charge of the international relations of certain smaller states and of their domestic affairs to the extent required by such international relations. The United States under the Monroe Doctrine has never undertaken and does not now undertake anything of that sort. So much of the Monroe Doctrine as touches the colonization of the American continents being eliminated, what is left of it and all that is pertinent to our times is that the United States will resent and resist any attempt by a European power to conquer the territory or violate the political independence of any American state. The United States and its Monroe Doctrine, therefore, differ from the European concert and its control of other European states in the most vital respects. The United States under the Monroe Doctrine assumes no protectorate over any other American state; attempts no interference with the external any more than with the internal affairs of such a state; asserts no right to dictate the domestic or the foreign policy of such a state; and claims no right to use force in the affairs of such a state except as against its enemies and to aid it in defending its political and territorial integrity as against European aggression. Such an attitude by the United States towards other American states is necessarily approved and welcomed by them; it may render them the greatest possible service and can not do them injury; it requires no consent from them because, even if prompted by an enlightened view of United States interests, it confers upon other American states most important benefits and advantages without cost to themselves, pecuniary or political. Within a comparatively short time other doctrines have been officially and nonofficially advanced which, though without any real likeness to the Monroe Doctrine or any such *raison d'être* as the Monroe Doctrine, have been given prestige and currency by being described as the Monroe Doctrine or as necessary corollaries from it. Under these new doctrines it is intimated that, if an American state does not behave itself well in either its external or internal relations, good behavior—according to our own standards, of course—may be enforced by the United States; also that an American state defaulting on its own debts to foreign creditors or not compelling that justice to foreign creditors from its own citizens demanded by international usage and practice may be coerced by the United States into doing the right thing, and if nec-

essary may have its revenues sequestered and applied by the United States according to the latter's notions of justice and equity. It is too plain for discussion that the Monroe Doctrine can not be invoked in support of any such pretensions; that they are seriously objectionable as calculated to wound the pride and excite the enmity of all other American states, and as committing the United States to undertakings of the most vexatious, burdensome, and dangerous character.

THEODORE ROOSEVELT ¹

FIRST ANNUAL MESSAGE TO CONGRESS, DECEMBER 3, 1901²

The Monroe Doctrine should be the cardinal feature of the foreign policy of all the nations of the two Americas, as it is of the United States. Just seventy-eight years have passed since President Monroe in his Annual Message announced that "The American continents are henceforth not to be considered as subjects for future colonization by any European power." In other words, the Monroe Doctrine is a declaration that there must be no territorial aggrandizement by any non-American power at the expense of any American power on American soil. It is in no wise intended as hostile to any nation in the Old World. Still less is it intended to give cover to any aggression by one New World power at the expense of any other. It is simply a step, and a long step, toward assuring the universal peace of the world by securing the possibility of permanent peace on this hemisphere.

During the past century other influences have established the permanence and independence of the smaller states of Europe. Through the Monroe Doctrine we hope to be able to safeguard like independence and secure like permanence for the lesser among the New World nations.

This doctrine has nothing to do with the commercial relations of any American power, save that it in truth allows each of them to form such as it desires. In other words, it is really a guaranty of the commercial independence of the Americas. We do not ask

¹ President of the United States 1901-1909.

² Extract. *A Compilation of the Messages and Papers of the President* (Bureau of National Literature, New York), vol. XIV, pp. 6664-65.

under this doctrine for any exclusive commercial dealings with any other American state. We do not guarantee any state against punishment if it misconducts itself, provided that punishment does not take the form of the acquisition of territory by any non-American power.

Our attitude in Cuba is a sufficient guaranty of our own good faith. We have not the slightest desire to secure any territory at the expense of any of our neighbors. We wish to work with them hand in hand, so that all of us may be uplifted together, and we rejoice over the good fortune of any of them, we gladly hail their material prosperity and political stability, and are concerned and alarmed if any of them fall into industrial or political chaos. We do not wish to see any Old World military power grow up on this continent, or to be compelled to become a military power ourselves. The peoples of the Americas can prosper best if left to work out their own salvation in their own way.

FOURTH ANNUAL MESSAGE TO CONGRESS, DECEMBER 6, 1904¹

. . . It is not merely unwise, it is contemptible, for a nation, as for an individual, to use high-sounding language to proclaim its purposes, or to take positions which are ridiculous if unsupported by potential force, and then to refuse to provide this force. If there is no intention of providing and of keeping the force necessary to back up a strong attitude, then it is far better not to assume such an attitude. . . .

It is not true that the United States feels any land hunger or entertains any projects as regards the other nations of the Western Hemisphere save such as are for their welfare. All that this country desires is to see the neighboring countries stable, orderly, and prosperous. Any country whose people conduct themselves well can count upon our hearty friendship. If a nation shows that it knows how to act with reasonable efficiency and decency in social and political matters, if it keeps order and pays its obligations, it need fear no interference from the United States. Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and in the Western Hemisphere the adherence of the United States to the Monroe Doctrine

¹ Extract. *Messages and Papers of the Presidents*, vol. XIV, pp. 6921, 6923-24.

may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power. If every country washed by the Caribbean Sea would show the progress in stable and just civilization which with the aid of the Platt amendment Cuba has shown since our troops left the island, and which so many of the republics in both Americas are constantly and brilliantly showing, all question of interference by this Nation with their affairs would be at an end. Our interests and those of our southern neighbors are in reality identical. They have great natural riches, and if within their borders the reign of law and justice obtains, prosperity is sure to come to them. While they thus obey the primary laws of civilized society they may rest assured that they will be treated by us in a spirit of cordial and helpful sympathy. We would interfere with them only in the last resort, and then only if it became evident that their inability or unwillingness to do justice at home and abroad had violated the rights of the United States or had invited foreign aggression to the detriment of the entire body of American nations. It is a mere truism to say that every nation, whether in America or anywhere else, which desires to maintain its freedom, its independence, must ultimately realize that the right of such independence can not be separated from the responsibility of making good use of it.

In asserting the Monroe Doctrine, in taking such steps as we have taken in regard to Cuba, Venezuela, and Panama, and in endeavoring to circumscribe the theater of war in the Far East, and to secure the open door in China, we have acted in our own interest as well as in the interest of humanity at large. There are, however, cases in which, while our own interests are not greatly involved, strong appeal is made to our sympathies. . . . But in extreme cases action may be justifiable and proper. What form the action shall take must depend upon the circumstances of the case; that is, upon the degree of the atrocity and upon our power to remedy it. The cases in which we could interfere by force of arms as we interfered to put a stop to intolerable conditions in Cuba are necessarily very few.

FIFTH ANNUAL MESSAGE TO CONGRESS, DECEMBER 5, 1905 ¹

One of the most effective instruments for peace is the Monroe Doctrine as it has been and is being gradually developed by this

¹ Extract. *Messages and Papers of the Presidents*, vol. xiv, pp. 6994-97.

Nation and accepted by other nations. No other policy could have been as efficient in promoting peace in the Western Hemisphere and in giving to each nation thereon the chance to develop along its own lines. If we had refused to apply the doctrine to changing conditions it would now be completely outworn, would not meet any of the needs of the present day, and, indeed, would probably by this time have sunk into complete oblivion. It is useful at home, and is meeting with recognition abroad because we have adapted our application of it to meet the growing and changing needs of the hemisphere. When we announce a policy such as the Monroe Doctrine we thereby commit ourselves to the consequences of the policy, and those consequences from time to time alter. It is out of the question to claim a right and yet shirk the responsibility for its exercise. Not only we, but all American republics who are benefited by the existence of the doctrine, must recognize the obligations each nation is under as regards foreign peoples no less than its duty to insist upon its own rights.

That our rights and interests are deeply concerned in the maintenance of the doctrine is so clear as hardly to need argument. This is especially true in view of the construction of the Panama Canal. As a mere matter of self-defense we must exercise a close watch over the approaches to this canal; and this means that we must be thoroughly alive to our interests in the Caribbean Sea.

There are certain essential points which must never be forgotten as regards the Monroe Doctrine. In the first place we must as a Nation make it evident that we do not intend to treat it in any shape or way as an excuse for aggrandizement on our part at the expense of the republics to the south. We must recognize the fact that in some South American countries there has been much suspicion lest we should interpret the Monroe Doctrine as in some way inimical to their interests, and we must try to convince all the other nations of this continent once and for all that no just and orderly Government has anything to fear from us. There are certain republics to the south of us which have already reached such a point of stability, order, and prosperity that they themselves, though as yet hardly consciously, are among the guarantors of this doctrine. These republics we now meet not only on a basis of entire equality, but in a spirit of frank and respectful friendship, which we hope is mutual. If all of the republics to the south of us will only grow as those to which I allude have already grown, all need for us to be the especial

champions of the doctrine will disappear, for no stable and growing American Republic wishes to see some great non-American military power acquire territory in its neighborhood. All that this country desires is that the other republics on this continent shall be happy and prosperous; and they cannot be happy and prosperous unless they maintain order within their boundaries and behave with a just regard for their obligations toward outsiders. It must be understood that under no circumstances will the United States use the Monroe Doctrine as a cloak for territorial aggression. We desire peace with all the world, but perhaps most of all with the other peoples of the American Continent. There are, of course, limits to the wrongs which any self-respecting nation can endure. It is always possible that wrong actions toward this Nation, or toward citizens of this Nation, in some State unable to keep order among its own people, unable to secure justice from outsiders, and unwilling to do justice to those outsiders who treat it well, may result in our having to take action to protect our rights; but such action will not be taken with a view to territorial aggression, and it will be taken at all only with extreme reluctance and when it has become evident that every other resource has been exhausted.

Moreover, we must make it evident that we do not intend to permit the Monroe Doctrine to be used by any nation on this Continent as a shield to protect it from the consequences of its own misdeeds against foreign nations. If a republic to the south of us commits a tort against a foreign nation, such as an outrage against a citizen of that nation, then the Monroe Doctrine does not force us to interfere to prevent punishment of the tort, save to see that the punishment does not assume the form of territorial occupation in any shape. The case is more difficult when it refers to a contractual obligation. Our own Government has always refused to enforce such contractual obligations on behalf of its citizens by an appeal to arms. It is much to be wished that all foreign governments would take the same view. But they do not; and in consequence we are liable at any time to be brought face to face with disagreeable alternatives. On the one hand, this country would certainly decline to go to war to prevent a foreign government from collecting a just debt; on the other hand, it is very inadvisable to permit any foreign power to take possession, even temporarily, of the custom houses of an American Republic in order to enforce the payment of its obligations; for such temporary occupation might turn into a permanent

occupation. The only escape from these alternatives may at any time be that we must ourselves undertake to bring about some arrangement by which so much as possible of a just obligation shall be paid. It is far better that this country should put through such an arrangement, rather than allow any foreign country to undertake it. To do so insures the defaulting republic from having to pay debt of an improper character under duress, while it also insures honest creditors of the republic from being passed by in the interest of dishonest or grasping creditors. Moreover, for the United States to take such a position offers the only possible way of insuring us against a clash with some foreign power. The position is, therefore, in the interest of peace as well as in the interest of justice. It is of benefit to our people; it is of benefit to foreign peoples; and most of all it is really of benefit to the people of the country concerned.

This brings me to what should be one of the fundamental objects of the Monroe Doctrine. We must ourselves in good faith try to help upward toward peace and order those of our sister republics which need such help. Just as there has been a gradual growth of the ethical element in the relations of one individual to another, so we are, even though slowly, more and more coming to recognize the duty of bearing one another's burdens, not only as among individuals, but also as among nations.

Santo Domingo, in her turn, has now made an appeal to us to help her, and not only every principle of wisdom but every generous instinct within us bids us respond to the appeal. It is not of the slightest consequence whether we grant the aid needed by Santo Domingo as an incident to the wise development of the Monroe Doctrine or because we regard the case of Santo Domingo as standing wholly by itself, and to be treated as such, and not on general principles or with any reference to the Monroe Doctrine. The important point is to give the needed aid, and the case is certainly sufficiently peculiar to deserve to be judged purely on its own merits.

MESSAGE TO THE SENATE CONCERNING THE DOMINICAN REPUBLIC,
FEBRUARY 15, 1905¹

It has for some time been obvious that those who profit by the Monroe doctrine must accept certain responsibilities along with the rights which it confers; and that the same statement applies to those

¹ Extract. *Foreign Relations of the United States*, 1905, pp. 334-36, 341.

who uphold the doctrine. It can not be too often and too emphatically asserted that the United States has not the slightest desire for territorial aggrandizement at the expense of any of its southern neighbors, and will not treat the Monroe doctrine as an excuse for such aggrandizement on its part. . . .

An aggrieved nation can without interfering with the Monroe doctrine take what action it sees fit in the adjustment of its disputes with American States, provided that action does not take the shape of interference with their form of government or of the despoilment of their territory under any disguise. But, short of this, when the question is one of a money claim, the only way which remains, finally, to collect it is a blockade, or bombardment, or the seizure of the custom-houses, and this means, as has been said above, what is in effect a possession, even though only a temporary possession, of territory. The United States then becomes a party in interest, because under the Monroe doctrine it can not see any European power seize and permanently occupy the territory of one of these republics; and yet such seizure of territory, disguised or undisguised, may eventually offer the only way in which the power in question can collect any debts, unless there is interference on the part of the United States.

. . . Except for arbitrary wrong, done or sanctioned by superior authority, to persons or to vested property rights, the United States Government, following its traditional usage in such cases, aims to go no further than the mere use of its good offices, a measure which frequently proves ineffective. . . .

Under the accepted law of nations foreign governments are within their right, if they choose to exercise it, when they actively intervene in support of the contractual claims of their subjects. They sometimes exercise this power, and on account of commercial rivalries there is a growing tendency on the part of other governments more and more to aid diplomatically in the enforcement of the claims of their subjects. In view of the dilemma in which the Government of the United States is thus placed, it must either adhere to its usual attitude of nonintervention in such cases—an attitude proper under normal conditions, but one which in this particular kind of case results to the disadvantage of its citizens in comparison with those of other States—or else it must, in order to be consistent in its policy, actively intervene to protect the contracts and concessions of its citizens engaged in agriculture, commerce, and trans-

portation in competition with the subjects and citizens of other States.

. . . We on our part are simply performing in peaceful manner, not only with the cordial acquiescence, but in accordance with the earnest request of the government concerned, part of that international duty which is necessarily involved in the assertion of the Monroe doctrine. We are bound to show that we perform this duty in good faith and without any intention of aggrandizing ourselves at the expense of our weaker neighbors or of conducting ourselves otherwise than so as to benefit both these weaker neighbors and those European powers which may be brought into contact with them. It is in the highest degree necessary that we should prove by our action that the world may trust in our good faith and may understand that this international duty will be performed by us within our own sphere, in the interest not merely of ourselves, but of all other nations, and with strict justice toward all. If this is done, a general acceptance of the Monroe doctrine will in the end surely follow; and this will mean an increase of the sphere in which peaceful measures for the settlement of international difficulties gradually displace those of a warlike character.

ELIHU ROOT¹

I ask your attention for a few minutes to some observations upon the Monroe Doctrine. If I am justified in taking your time it will be not because I say anything novel, but because there is occasion for restating well settled matters which seem to have been overlooked in some recent writings on the subject.

We are all familiar with President Monroe's famous message of December 2, 1823:

The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European Powers . . .

¹ Secretary of State of the United States 1905-1909. The following address entitled *The Real Monroe Doctrine* was delivered by Mr. Root as President of the American Society of International Law at its meeting in 1914. *Proceedings*, 1914, p. 6.

In the wars of the European Powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparations for our defense. With the movements in this hemisphere we are of necessity more immediately connected and by causes which must be obvious to all enlightened and impartial observers.

We owe it, therefore, to candor, and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner, their destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between these new governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indispensable to their security.

It is impossible that the allied Powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our Southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.

The occasion for these declarations is a familiar story—the revolt of the Spanish provinces in America which Spain, unaided, was plainly unable to reduce to their former condition of dependence; the reaction against liberalism in Europe which followed the downfall of Napoleon and the restoration of the Bourbons to the throne of France; the formation of the Holy Alliance; the agreement of its members at the conferences of Aix la Chapelle and Laybach and Verona for the insurance of monarchy against revolution; the restoration of Ferdinand the Seventh to the throne of Spain by the armed power of France pursuant to this agreement; the purpose of the Alliance to follow the restoration of monarchy in Spain by the restoration of that monarchy's control over its colonies in the New World; the claims both of Russia and of Great Britain to rights of colonization on the Northwest coast; the proposals of Mr. Canning to Richard Rush for a joint declaration of principles by England and the United States adverse to the interference of any other European Power in the contest between Spain and her former colonies;

the serious question raised by this proposal as to the effect of a joint declaration upon the American policy of avoiding entangling alliances.

The form and phrasing of President Monroe's message were adapted to meet these conditions. The statements made were intended to carry specific information to the members of the Holy Alliance that an attempt by any of them to coerce the new states of South America would be not a simple expedition against weak and disunited colonies, but the much more difficult and expensive task of dealing with the formidable maritime power of the United States as well as the opposition of England, and they were intended to carry to Russia and incidentally to England the idea that rights to territory in the New World must thenceforth rest upon then existing titles, and that the United States would dispute any attempt to create rights to territory by future occupation.

It is undoubtedly true that the specific occasions for the declaration of Monroe no longer exist. The Holy Alliance long ago disappeared. The nations of Europe no longer contemplate the vindication of monarchical principles in the territory of the New World. France, the most active of the Allies, is herself a republic. No nation longer asserts the right of colonization in America. The general establishment of diplomatic relations between the Powers of Europe and the American republics, if not already universal, became so when, pursuant to the formal assent of the Powers, all the American republics were received into the Second Conference at The Hague and joined in the conventions there made, upon the footing of equal sovereignty, entitled to have their territory and independence respected under that law of nations which formerly existed for Europe alone.

The declaration, however, did more than deal with the specific occasion which called it forth. It was intended to declare a general principle for the future, and this is plain not merely from the generality of the terms used but from the discussions out of which they arose and from the understanding of the men who took part in the making and of their successors.

When Jefferson was consulted by President Monroe before the message was sent he replied:

The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of independence. That made us a nation; this sets our compass and points the course which we are to steer through the ocean of time opening on us.

And never could we embark upon it under circumstances more auspicious. Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cisatlantic affairs.

Three years later Daniel Webster declared that the doctrine involved the honor of the country. He said in the House of Representatives:

I look upon it as a part of its treasures of reputation; and, for one, I intend to guard it. . . . I will neither help to erase it nor tear it out; nor shall it be, by any act of mine, blurred or blotted. It did honor to the sagacity of the government, and will not diminish that honor.

Mr. Cleveland said in his message of December 17, 1895:

The doctrine upon which we stand is strong and sound because its enforcement is important to our peace and safety as a nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life and can not become obsolete while our republic endures.

As the particular occasions which called it forth have slipped back into history, the declaration itself, instead of being handed over to the historian, has grown continually a more vital and insistent rule of conduct for each succeeding generation of Americans. Never for a moment have the responsible and instructed statesmen in charge of the foreign affairs of the United States failed to consider themselves bound to insist upon its policy. Never once has the public opinion of the people of the United States failed to support every just application of it as new occasion has arisen. Almost every president and secretary of state has restated the doctrine with vigor and emphasis in the discussion of the diplomatic affairs of his day. The governments of Europe have gradually come to realize that the existence of the policy which Monroe declared is a stubborn and continuing fact to be recognized in their controversies with American countries. We have seen Spain, France, England, Germany, with admirable good sense and good temper, explaining beforehand to the United States that they intended no permanent occupation of territory, in the controversy with Mexico forty years after the declaration, and in the controversy with Venezuela eighty years after. In 1903 the Duke of Devonshire declared "Great Britain accepts the Monroe Doctrine unreservedly." Mr. Hay coupled the Monroe Doctrine and the Golden Rule as cardinal guides of American diplomacy. Twice within very recent years the whole

treaty making power of the United States has given its formal approval to the policy by the reservations in the signature and in the ratification of the arbitration conventions of the Hague Conferences, expressed in these words by the Senate resolution agreeing to ratification of the convention of 1907:

Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state, nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude towards purely American questions.

It seems fair to assume that a policy with such a history as this has some continuing and substantial reason underlying it; that it is not outworn or meaningless or a purely formal relic of the past, and it seems worth while to consider carefully what the doctrine is and what it is not.

No one ever pretended that Mr. Monroe was declaring a rule of international law or that the doctrine which he declared has become international law. It is a declaration of the United States that certain acts would be injurious to the peace and safety of the United States and that the United States would regard them as unfriendly. The declaration does not say what the course of the United States will be in case such acts are done. That is left to be determined in each particular instance. Mr. Calhoun said, in the Senate debate on the Yucatan Bill, in 1848:

Whether you will resist or not and the measure of your resistance—whether it shall be by negotiations, remonstrance, or some intermediate measure or by a resort to arms; all this must be determined and decided on the merits of the question itself. This is the only wise course. . . . There are cases of interposition where I would resort to the hazard of war with all its calamities. Am I asked for one? I will answer. I designate the case of Cuba.

In particular instances indeed the course which the United States would follow has been very distinctly declared, as when Mr. Seward said, in 1865:

It has been the President's purpose that France should be respectfully informed upon two points; namely, first, that the United States earnestly desire to continue and to cultivate sincere friendship with France. Secondly, that this policy would be brought in imminent jeopardy unless France could deem it consistent with her honor to desist from the prosecution of armed intervention in Mexico to overthrow the domestic republican

government existing there and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country.

So Secretary Buchanan said, in 1848:

The highest and first duty of every independent nation is to provide for its own safety; and acting upon this principle, we should be compelled to resist the acquisition of Cuba by any powerful maritime state, with all means which Providence has placed at our command.

And Secretary Clayton said, in 1849:

The news of the cession of Cuba to any foreign Power would in the United States be the instant signal for war. No foreign Power would attempt to take it that did not expect a hostile collision with us as an inevitable consequence.

The doctrine is not international law, but it rests upon the right of self-protection and that right is recognized by international law. The right is a necessary corollary of independent sovereignty. It is well understood that the exercise of the right of self-protection may and frequently does extend in its effect beyond the limits of the territorial jurisdiction of the state exercising it. The strongest example probably would be the mobilization of an army by another Power immediately across the frontier. Every act done by the other Power may be within its own territory. Yet the country threatened by the state of facts is justified in protecting itself by immediate war. The most common exercise of the right of self-protection outside of a state's own territory and in time of peace is the interposition of objection to the occupation of territory, of points of strategic military or maritime advantage, or to indirect accomplishment of this effect by dynastic arrangement. For example, the objection of England in 1911 to the occupation of a naval station by Germany on the Atlantic coast of Morocco; the objection of the European Powers generally to the vast force of Russia extending its territory to the Mediterranean; the revision of the Treaty of San Stefano by the Treaty of Berlin; the establishment of buffer states; the objection to the succession of a German prince to the throne of Spain; the many forms of the eastern question; the centuries of struggle to preserve the balance of power in Europe; all depend upon the very same principle which underlies the Monroe Doctrine; that is to say, upon the right of every sovereign state to protect itself by preventing a condition of affairs in which it will be too late to protect itself. Of course, each state must judge for itself when a threatened act will

create such a situation. If any state objects to a threatened act and the reasonableness of its objection is not assented to, the efficacy of the objection will depend upon the power behind it.

It is doubtless true that in the adherence of the American people to the original declaration there was a great element of sentiment and of sympathy for the people of South America who were struggling for freedom, and it has been a source of great satisfaction to the United States that the course which it took in 1823 concurrently with the action of Great Britain played so great a part in assuring the right of self-government to the countries of South America. Yet it is to be observed that in reference to the South American governments, as in all other respects, the international right upon which the declaration expressly rests is not sentiment or sympathy or a claim to dictate what kind of government any other country shall have, but the safety of the United States. It is because the new governments can not be overthrown by the allied Powers "without endangering our peace and happiness," that "the United States can not behold such interposition in any form with indifference."

We frequently see statements that the doctrine has been changed or enlarged; that there is a new or different doctrine since Monroe's time. They are mistaken. There has been no change. One apparent extension of the statement of Monroe was made by President Polk in his messages of 1845 and 1848, when he included the acquisition of territory by a European Power through cession as dangerous to the safety of the United States. It was really but stating a corollary to the doctrine of 1823 and asserting the same right of self-protection against the other American states as well as against Europe.

This corollary has been so long and uniformly agreed to by the government and the people of the United States that it may fairly be regarded as being now a part of the doctrine.

But, all assertions to the contrary notwithstanding, there has been no other change or enlargement of the Monroe Doctrine since it was first promulgated. It must be remembered that not everything said or written by Secretaries of State or even by Presidents constitutes a national policy or can enlarge or modify or diminish a national policy.

It is the substance of the thing to which the nation holds and that is and always has been that the safety of the United States demands that American territory shall remain American.

The Monroe Doctrine does not assert or imply or involve any right on the part of the United States to impair or control the independent sovereignty of any American state. In the lives of nations as of individuals, there are many rights unquestioned and universally conceded. The assertion of any particular right must be considered, not as excluding all others but as coincident with all others which are not inconsistent. The fundamental principle of international law is the principle of independent sovereignty. Upon that all other rules of international law rest. That is the chief and necessary protection of the weak against the power of the strong. Observance of that is the necessary condition to the peace and order of the civilized world. By the declaration of that principle the common judgment of civilization awards to the smallest and weakest state the liberty to control its own affairs without interference from any other Power, however great.

The Monroe Doctrine does not infringe upon that right. It asserts the right. The declaration of Monroe was that the rights and interests of the United States were involved in maintaining a condition, and the condition to be maintained was the independence of all the American countries. It is "the free and independent condition which they have assumed and maintained" which is declared to render them not subject to future colonization. It is "the governments who have declared their independence and maintained it and whose independence we have on great consideration and on just principles acknowledged" that are not to be interfered with. When Mr. Canning's proposals for a joint declaration were under consideration by the Cabinet in the month before the famous message was sent, John Quincy Adams, who played the major part in forming the policy, declared the basis of it in these words:

Considering the South Americans as independent nations, they themselves and no other nation had the right to dispose of their condition. We have no right to dispose of them either alone or in conjunction with other nations. Neither have any other nations the right of disposing of them without their consent.

In the most critical and momentous application of the doctrine, Mr. Seward wrote to the French Minister:

France need not for a moment delay her promised withdrawal of military forces from Mexico and her putting the principle of non-intervention into full and complete practice in regard to Mexico through any apprehension that the United States will prove unfaithful to the principles and policy in that respect which on their behalf it has been my duty to maintain in

this now very lengthened correspondence. The practice of this government from its beginning is a guarantee to all nations of the respect of the American people for the free sovereignty of the people in every other state. We received the instruction from Washington. We applied it sternly in our early intercourse even with France. The same principle and practice have been uniformly inculcated by all our statesmen, interpreted by all our jurists, maintained by all our Congresses, and acquiesced in without practical dissent on all occasions by the American people. It is in reality the chief element of foreign intercourse in our history.

In his message to Congress of December 3, 1906, President Roosevelt said:

In many parts of South America there has been much misunderstanding of the attitude and purposes of the United States toward the other American republics. An idea had become prevalent that our assertion of the Monroe Doctrine implied or carried with it an assumption of superiority and of a right to exercise some kind of protectorate over the countries to whose territory that doctrine applies. Nothing could be farther from the truth.

He quoted the words of the Secretary of State then in office to the recent Pan-American Conference at Rio Janeiro:

We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire and we deem the observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights or privileges or powers that we do not freely concede to every American republic.

And the President then proceeded to say of these statements:

They have my hearty approval, as I am sure they will have yours, and I can not be wrong in the conviction that they correctly represent the sentiments of the whole American people. I can not better characterize the true attitude of the United States in its assertion of the Monroe Doctrine than in the words of the distinguished former minister of foreign affairs of Argentina, Doctor Drago . . . "the traditional policy of the United States without accentuating superiority or seeking preponderance condemned the oppression of the nations of this part of the world and the control of their destinies by the great Powers of Europe."

Curiously enough, many incidents and consequences of that independent condition itself which the United States asserted in the Monroe Doctrine have been regarded in some quarters as infringements upon independence resulting from the Monroe Doctrine. Just as the personal rights of each individual free citizen in the state are limited by the equal rights of every other free individual in the same state so the sovereign rights of each independent state are limited by the equal sovereign rights of every other independent state. These

limitations are not impairments of independent sovereignty. They are the necessary conditions to the existence of independent sovereignty. If the Monroe Doctrine had never been declared or thought of, the sovereign rights of each American republic would have been limited by the equal sovereign rights of every other American republic, including the United States. The United States would have had a right to demand from every other American state observance of treaty obligations and of the rules of international law. It would have had the right to insist upon due protection for the lives and property of its citizens within the territory of every other American state, and upon the treatment of its citizens in that territory according to the rules of international law. The United States would have had the right as against every other American state to object to acts which the United States might deem injurious to its peace and safety just as it had the right to object to such acts as against any European Power and just as all European and American Powers have the right to object to such acts as against each other. All these rights which the United States would have had as against other American states it has now. They are not in the slightest degree affected by the Monroe Doctrine. They exist now just as they would have existed if there had been no Monroe Doctrine. They are neither greater nor less because of that doctrine. They are not rights of superiority, they are rights of equality. They are the rights which all equal independent states have as against each other. And they cover the whole range of peace and war.

It happens, however, that the United States is very much bigger and more powerful than most of the other American republics. And when a very great and powerful state makes demands upon a very small and weak state it is difficult to avoid a feeling that there is an assumption of superior authority involved in the assertion of superior power, even though the demand be based solely upon the right of equal against equal. An examination of the various controversies which the United States has had with other American Powers will disclose the fact that in every case the rights asserted were rights not of superiority but of equality. Of course it can not be claimed that great and powerful states shall forego their just rights against smaller and less powerful states. The responsibilities of sovereignty attach to the weak as well as to the strong, and a claim to exemption from those responsibilities would imply not equality but inferiority. The most that can be said concerning a question between a powerful state

and a weak one is that the great state ought to be especially considerate and gentle in the assertion and maintenance of its position; ought always to base its acts not upon a superiority of force, but upon reason and law; and ought to assert no rights against a small state because of its weakness which it would not assert against a great state notwithstanding its power. But in all this the Monroe Doctrine is not concerned at all.

The scope of the doctrine is strictly limited. It concerns itself only with the occupation of territory in the New World to the subversion or exclusion of a preexisting American government. It has not otherwise any relation to the affairs of either American or European states. In good conduct or bad, observance of rights or violations of them, agreement or controversy, injury or reprisal, coercion or war, the United States finds no warrant in the Monroe Doctrine for interference. So Secretary Cass wrote, in 1858:

With respect to the causes of war between Spain and Mexico, the United States have no concern, and do not undertake to judge them. Nor do they claim to interpose in any hostilities which may take place. Their policy of observation and interference is limited to the permanent subjugation of any portion of the territory of Mexico, or of any other American state, to any European Power whatever.

So Mr. Seward wrote, in 1861, concerning the allied operation against Mexico:

As the undersigned has heretofore had the honor to inform each of the plenipotentiaries now addressed, the President does not feel at liberty to question, and does not question, that the sovereigns represented have undoubted right to decide for themselves the fact whether they have sustained grievances, and to resort to war against Mexico for the redress thereof, and have a right also to levy the war severally or jointly.

So when Germany, Great Britain and Italy united to compel by naval force a response to their demands on the part of Venezuela, and the German Government advised the United States that it proposed to take coercive measures to enforce its claims for damages and for money against Venezuela, adding, "We declare especially that under no circumstances do we consider in our proceedings the acquisition or permanent occupation of Venezuelan territory," Mr. Hay replied that the Government of the United States although it "regretted that European Powers should use force against Central and South American countries, could not object to their taking steps to obtain redress for injuries suffered by their subjects, provided that no acquisition of territory was contemplated."

Quite independently of the Monroe Doctrine, however, there is a rule of conduct among nations under which each nation is deemed bound to render the good offices of friendship to the others when they are in trouble. The rule has been crystallized in the provisions of The Hague Convention for the Pacific Settlement of International Disputes. Under the head of "The Maintenance of General Peace" in that convention substantially all the Powers of the world have agreed:

With a view to obviating as far as possible recourse to force in the relations between states, the contracting Powers agree to use their best efforts to ensure the pacific settlement of international differences.

In case of serious disagreement or dispute, before an appeal to arms, the contracting Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers.

Independently of this recourse, the contracting Powers deem it expedient and desirable that one or more Powers, strangers to the dispute, should, on their own initiative and as far as circumstances may allow, offer their good offices or mediation to the states at variance. . . . The exercise of this right can never be regarded by either of the parties in dispute as an unfriendly act.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the states at variance.

The United States has frequently performed this duty in controversies between American republics among themselves and between American republics and European states. So in the controversy last referred to, the United States used its good offices to bring about a series of arbitrations which superseded the resort to force determined upon by the allied Powers against Venezuela. She did this upon the request of Venezuela. She did it in the performance of no duty and the exercise of no right whatever except the duty and the right of friendship between equal sovereign states. The Monroe Doctrine has nothing whatever to do with acts of this description; yet many times censorious critics, unfamiliar with the facts and uninstructed in the customs and rules of action in the international world, have accused the United States in such cases of playing the rôle of schoolmaster, of assuming the superiority of guardianship, of aiming at a protectorate.

As the Monroe Doctrine neither asserts nor involves any right of control by the United States over any American nation, it imposes upon the United States no duty towards European Powers to exercise such a control. It does not call upon the United States to collect debts or coerce conduct or redress wrongs or revenge injuries. If

matters ever come to a point where in any American country the United States intervenes by force to prevent or end an occupation of territory to the subversion or exclusion of an American government, doubtless new rights and obligations will arise as a result of the acts done in the course of the intervention. Unless such a situation shall have arisen there can be no duty on the part of the United States beyond the exercise of good offices as between equal and independent nations.

There are indeed special reasons why the United States should perform that duty of equal friendship to the full limit of international custom and international ethics as declared in the Hague Convention, whenever occasion arises in controversy between American and European Powers. There is a motive for that in the special sympathy and friendship for the gradually developing republics of the south which the American people have always felt since the days of Monroe and John Quincy Adams and Richard Rush and Henry Clay. There is a motive in the strong desire of our government that no controversy between a European and an American state shall ever come to the point where the United States may be obliged to assert by force the rule of national safety declared by Monroe. And there is a motive in the proper desire of the United States that no friendly nation of Europe or America shall be injured or hindered in the prosecution of its rights in any way or to any extent that can possibly be avoided because that nation respects the rule of safety which Mr. Monroe declared and we maintain. None of these reasons for the exercise of the good offices of equality justifies nor do all of them together justify the United States in infringing upon the independence or ignoring the equal rights of the smallest American state.

Nor has the United States ever in any instance during the period of almost a century which has elapsed, made the Monroe Doctrine or the motives which lead us to support it the ground or excuse for overstepping the limits which the rights of equal sovereignty set between equal sovereign states.

Since the Monroe Doctrine is a declaration based upon this nation's right of self-protection, it can not be transmuted into a joint or common declaration by American states or any number of them. If Chile or Argentina or Brazil were to contribute the weight of her influence toward a similar end, the right upon which that nation would rest its declaration would be its own safety, not the safety of the United States. Chile would declare what was necessary for the safety of

Chile. Argentina would declare what was necessary for the safety of Argentina. Brazil, what was necessary for the safety of Brazil. Each nation would act for itself and in its own right and it would be impossible to go beyond that except by more or less offensive and defensive alliances. Of course, such alliances are not to be considered.

It is plain that the building of the Panama Canal greatly accentuates the practical necessity of the Monroe Doctrine as it applies to all the territory surrounding the Caribbean or near the Bay of Panama. The plainest lessons of history and the universal judgment of all responsible students of the subject concur in teaching that the potential command of the route to and from the Canal must rest with the United States and that the vital interests of the nation forbid that such command shall pass into other hands. Certainly no nation which has acquiesced in the British occupation of Egypt will dispute this proposition. Undoubtedly as one passes to the south and the distance from the Caribbean increases, the necessity of maintaining the rule of Monroe becomes less immediate and apparent. But who is competent to draw the line? Who will say, "To this point the rule of Monroe should apply; beyond this point, it should not"? Who will say that a new national force created beyond any line that he can draw will stay beyond it and will not in the long course of time extend itself indefinitely?

The danger to be apprehended from the immediate proximity of hostile forces was not the sole consideration leading to the declaration. The need to separate the influences determining the development and relation of states in the New World from the influences operating in Europe played an even greater part. The familiar paragraphs of Washington's Farewell Address upon this subject were not rhetoric. They were intensely practical rules of conduct for the future guidance of the country:

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities. Our detached and distant situation invites and enables us to pursue a different course.

It was the same instinct which led Jefferson, in the letter to Monroe already quoted, to say:

Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cisatlantic affairs.

The concurrence of Washington and Hamilton and Jefferson in the declaration of this principle of action entitles it to great respect. They recalled the long period during which every war waged in Europe between European Powers and arising from European causes of quarrel was waged also in the New World. English and French and Spanish and Dutch killed and harried each other in America, not because of quarrels between the settlers in America, but because of quarrels between the European Powers having dominion over them. Separation of influences as absolute and complete as possible was the remedy which the wisest of Americans agreed upon. It was one of the primary purposes of Monroe's declaration to insist upon this separation, and to accomplish it he drew the line at the water's edge. The problem of national protection in the distant future is one not to be solved by the first impressions of the casual observer, but only by profound study of the forces which, in the long life of nations, work out results. In this case the results of such a study by the best men of the formative period of the United States are supported by the instincts of the American democracy holding steadily in one direction for almost a century. The problem has not changed essentially. If the declaration of Monroe was right when the message was sent, it is right now. South America is no more distant today than it was then. The tremendous armaments and international jealousies of Europe afford little assurance to those who think we may now abandon the separatist policy of Washington. That South American states have become too strong for colonization or occupation is cause for satisfaction. That Europe has no purpose or wish to colonize American territory is most gratifying. These facts may make it improbable that it will be necessary to apply the Monroe Doctrine in the southern parts of South America; but they furnish no reason whatever for retracting or denying or abandoning a declaration of public policy, just and reasonable when it was made, and which, if occasion for its application shall arise in the future, will still be just and reasonable.

A false conception of what the Monroe Doctrine is, of what it demands and what it justifies, of its scope and of its limits, has invaded the public press and affected public opinion within the past few years. Grandiose schemes of national expansion invoke the Monroe Doctrine. Interested motives to compel Central or South American countries to

do or refrain from doing something by which individual Americans may profit invoke the Monroe Doctrine. Clamors for national glory from minds too shallow to grasp at the same time a sense of national duty invoke the Monroe Doctrine. The intolerance which demands that control over the conduct and the opinions of other peoples which is the essence of tyranny invoke the Monroe Doctrine. Thoughtless people who see no difference between lawful right and physical power assume that the Monroe Doctrine is a warrant for interference in the internal affairs of all weaker nations in the New World. Against this supposititious doctrine, many protests both in the United States and in South America have been made, and justly made. To the real Monroe Doctrine these protests have no application.

LEO S. ROWE¹

The time at my disposal makes it impossible to enter into an examination of the historical circumstances that led to the formulation of the Monroe Doctrine or to discuss the conditions that accompanied its development. Furthermore, in view of the wealth of material that has been presented at the sessions of yesterday and today, such a discussion would probably be superfluous.

With reference to the present scope and limits of the Monroe Doctrine, we are confronted with an extraordinary situation. Throughout the countries of Central and South America there is a deeply rooted belief that the United States is using the Monroe Doctrine as a cloak behind which there lurk designs against their sovereignty and territorial integrity.

In the countries of continental Europe, which a few years ago seemed to be moving toward a tacit acquiescence, if not a willing acceptance of the Monroe Doctrine, there is noticeable a rekindling of the opposition which marked their earlier attitude—a feeling of sullen resentment against what is regarded as the presumptuousness of the United States in declaring a kind of protectorate over the republics of the American continent.

¹ Director-General of the Pan American Union; President of the American Academy of Political and Social Science. The following address on *Misconceptions and Limitations of the Monroe Doctrine* was delivered before the American Society of International Law in 1914. See *Proceedings*, 1914, p. 126.

Finally, as a further complicating factor, adding in no small measure to the difficulties of the situation, we find a movement, led by men whose judgment is entitled to most serious consideration, favoring either the complete abandonment of the doctrine, or its transformation into a Pan-American Doctrine. We are told:

First. That the conditions which justified the formulation of the Monroe Doctrine in 1823 have so changed that those principles are no longer applicable to modern conditions. The advance of constitutional government, it is contended, has brought the political institutions of Europe into closer relations with those of America, so that today individual liberty and personal rights are more completely guaranteed in most of the countries of Europe than in many parts of the American continent. The contrast between European and American institutions can no longer be made the basis of the foreign policy of the United States, and the Monroe Doctrine, as a means of protecting free institutions on the American continent, has, therefore, lost its reason for existence.

Second. That the interpretations of the doctrine subsequent to its formulation in 1823, have gone far beyond the original intent, and that under the guise of a political catchword we are gradually approaching the assertion of the paramountcy and the hegemony of the United States on the American continent.

Third. That these extensions of the doctrine have aroused the opposition of the countries for whose benefit it was originally formulated, and that many of the countries of Central and South America are at the present time opposed to it. In fact, the feeling against the doctrine is more pronounced in Central and South America than in the countries of continental Europe.

Finally, that the continued maintenance of the doctrine will gradually place us in a position of complete isolation. Although European governments have seemingly acquiesced, it must not be supposed that they regard it with a friendly eye. The continued assertion of the doctrine will, we are told, alienate the sympathies of all the countries of the American continent as well as the countries of continental Europe.

The serious nature of this indictment makes it a matter both of national and international importance to subject the issues involved to the closest possible scrutiny, with a view to ascertaining whether the Monroe Doctrine, in whole or in part, continues to subserve our national interests, or whether it has become a stumbling block to the

development of closer relations between the United States and the republics of the American continent.

We have had pointed out to us time and again that the words "Monroe Doctrine" have cast a kind of spell over the American people, and that the emotional reaction to which these words give rise has precluded and still precludes a calm, dispassionate consideration of our international relations. The history of the successive appeals to the doctrine lends considerable support to this criticism. That the situation involves serious dangers is demonstrated by the fact that on several occasions an emotional appeal has been made to the people of the United States under the guise of the Monroe Doctrine, when as a matter of fact the principles of the doctrine were but remotely involved.

If we are ever to develop a positive, constructive American foreign policy, it is necessary that a definite content be given to the term "Monroe Doctrine." This does not mean that the entire foreign policy of the United States should be limited to the Monroe Doctrine; in fact, the purpose in view is exactly the contrary. The precise content of the Monroe Doctrine once determined, we are then prepared to reach some conclusion as to whether these principles should be upheld or abandoned. Such further principles of American foreign policy as the welfare of the country may demand should be formulated, not as parts of the Monroe Doctrine, but as distinct additional principles of a constructive American foreign policy.

It is hardly necessary in this presence to refer to the fact that the Monroe Doctrine at the time of its formulation contained but two principles:

First. A declaration against further European colonization on the American continent.

Second. A declaration against an attempt on the part of any European Power to control the form of government or the political destinies of the republics of the American continent.

The first principle, namely, the declaration against further colonization, is no longer applicable to conditions now existing on the American continent. This declaration was intended to prevent the acquisition of further territory by European nations through the process of "discovery and settlement." Now that all the territory on the American continent is under the dominion of independent nations, there is no longer any possibility of acquisition by discovery and settlement, except in the regions immediately adjoining the North and South Poles. In fact, all the dangers which the message of Presi-

dent Monroe was intended to guard against are fully met by the second principle, namely, the declaration against the attempt on the part of an European Power to control the form of government or the political destinies of any American state.

While the two principles which constituted the original doctrine were undoubtedly intended and did serve to protect the interests of the republics of Central and South America, the fundamental purpose of the declaration was one of national self-protection. There is no doubt that the enthusiasm of the people of the United States was aroused by the fact that the doctrine served to protect the republics of the American continent against European aggression, but the primary purpose of the framers of the doctrine was to assure the national safety and unhampered development of the United States. Deep sympathy with the republics of Central and South America undoubtedly accompanied this primary purpose. The Congress of the United States, led by men like Henry Clay, expressed its enthusiasm for the new-born republics in no uncertain terms. Nevertheless, in the minds of its framers, the Monroe Doctrine was primarily a principle of national self-protection. It is well to emphasize this point because of the fact that it gives to the doctrine a permanency and a vitality independent of the will and independent of the attitude of the countries for whose benefit it was originally formulated.

The Government of the United States, from the time of the founding of the Republic, was conscious of all the difficulties resulting from the rivalry of European interests on the American continent, and the cardinal principle of our foreign policy was to free the country from the complications which would necessarily ensue from such rivalries. It is true that the conditions of today are totally different from those that confronted President Monroe in 1823. At that time he and his cabinet were formulating a principle, which, as has been well said by Admiral Mahan, was a declaration of independence, not merely of one country, namely, the United States, but of an entire continent. Nevertheless, we must not forget that the declaration was formulated primarily in the interests of the United States.

If we approach the situation from this viewpoint, it is not difficult to see that the doctrine of national self-protection is quite as vital today as it was in 1823. It is said that no European country desires any territory, or desires to extend its influence on the American continent. We must rid ourselves of the idea that the extension of influence or the extension of actual territorial dominion necessarily involves any ele-

ments of moral turpitude. On the contrary, such extensions represent a perfectly natural desire; a desire which gives evidence of national vigor and national growth. With a tremendous territory but sparsely settled it is inevitable that the Great Powers of Europe should regard Central and South America as a possible field for national expansion. The settled purpose of the American people, to keep the American continent free from the complications of European territorial rivalries, is just as definite and quite as necessary today as it was in 1823.

So far as the declaration against European control is concerned, there can not be the slightest objection to inviting the countries of Central and South America to cooperate with us in its maintenance. In this sense it is entirely possible as well as desirable to make the doctrine continental or Pan-American, provided we do not lose sight of the fact that in making it "Pan-American" we do not relinquish the right to maintain it, independent of the will of any of the other Powers of the American continent. The doctrine will be strengthened by reason of continental support, but we must not permit it to be weakened by continental indifference or opposition. In transforming the doctrine into a principle of continental significance we neither abandon it nor condemn it as an obsolete shibboleth.

Whether we give to the doctrine a continental status or not, it is a matter of vital importance to our position amongst the nations, that new principles of our foreign policy should not masquerade as integral parts of the doctrine but should be formulated and maintained as positive principles supplementing its negative prohibitions.

What is the nature of these constructive, positive principles that should supplement the Monroe Doctrine? We will do well in this respect to profit by the example and experience of the great nations of western civilization, especially Great Britain, Germany and France, which, while adopting certain general principles, in many respects similar to our Monroe Doctrine, have carefully adapted the details of their foreign policy to the special needs and circumstances confronting them in their relations with different sections of the world. Germany does not content herself with the negative principles of a European balance of power. She has formulated a positive foreign policy in the Mediterranean, in Asia Minor, in China and in Africa. In precisely the same way we must develop constructive principles, not only in our relations with the Near and the Far East but with the different sections of the American continent.

As a first step toward this end, it is important to supplement the negative prohibition of the Monroe Doctrine with positive constructive principles that will govern us in defining our attitude toward each one of a group of continental problems. This involves the development of first, a Mexican policy; secondly, a Caribbean policy; thirdly, a Central-American policy; fourthly, a policy with reference to each of the countries of South America.

Our relations with Mexico, with Central America and with the islands of the Caribbean, present certain common characteristics which call for the application of exceptional principles in the adjustment of our relations with these sections of the American continent. The concept of national sovereignty has undergone many changes during the last century. It is true that our modern system of international law rests on this principle, and there is no doubt that it marked a healthful reaction against the claims of universal dominion of the Holy Roman Empire. Useful as it has been in developing a respect for the rights of weaker states, the solidarity of interests of certain groups of nations of western civilization has begun to make serious inroads upon the idea of national sovereignty and independence. The growth of the European Concert, the interests of certain temporary or permanent groupings, such as the Triple Alliance and the Triple Entente, all represent forces that have profoundly influenced and modified the doctrine of national sovereignty in international affairs.

Slowly, in many cases unconsciously, and in all cases without full recognition of the consequences involved, changes of a like nature have been taking place in international relations on the American continent. It is true that our national thought has not kept pace with the actual changes in international conditions, due to the fact that the foreign policy of the United States has been of a negative rather than of a positive character. Fundamental physical and economic facts have begun to make their influence felt in the development of relations more positive and constructive than those implied in the Monroe Doctrine. As was recently pointed out by an eminent economist, the maintenance and improvement of the standard of living of the American workingman depend, in part, on an uninterrupted supply of tropical products from the West Indies and from Central America. The reduction of the price of meat, or at least, the avoidance of an increasing cost, will depend in large measure upon the development of the cattle ranges of northern Mexico. Our great

manufacturing interests look to an increasing extent to the vast mining resources of our southern neighbors.

In short, national economic interests of a basic character, affecting the welfare, the standard of life and the industrial prosperity of our country, are inextricably bound up with the political stability and the economic progress of Mexico, Central America and the West Indies. When we add to these fundamental economic and social interests, considerations of a strategic nature, the vital relation of these sections of the American continent to the United States immediately becomes apparent. The acquisition of the Canal Zone has made of the United States a Central American as well as a North American Power, and our national policy must hereafter be profoundly influenced by this change in our geographical relations.

We are interested in the welfare of Mexico, of Central America and of the West Indies primarily because their stability and their progress intimately affect the well-being of our own people, and we are interested in their attitude toward us because that attitude has a distinct bearing on our national safety. This essential solidarity of interests carries with it as a logical and inevitable consequence a limitation on the freedom of action of all the parties concerned.

Approaching the question from the broadest possible point of view, we are forced to the conclusion that national sovereignty is limited and modified by the larger interests of continental progress. Looking at the situation exclusively from the point of view of the national self-protection of the United States, it is evident that, irrespective of any question of European interference, we can not remain indifferent to, and in the long run can not tolerate, the continued existence of disorder or instability in any part of Central America, in Mexico or in the West Indies. This, therefore, is the larger and basic problem which calls for the development of a positive American foreign policy.

In addition to these considerations of a general character, there are certain special circumstances that place us in an exceptional relationship to Mexico. The fact that Mexico is our neighbor, that over fifty thousand American citizens are resident in the republic, and that vast American interests amounting to over a billion dollars are at stake, place the country in a position totally different from that of any of the countries of South America. Everything that affects the peace, the welfare and the progress of Mexico is of interest to the United States. We can no more remain indifferent to the continued exist-

ence of disorder and anarchy in Mexico than we could have remained indifferent to those conditions when they existed in Cuba. The requirements of national self-protection, the fulfillment of our obligations to Americans resident in Mexico, the performance of our duty in protecting the vast interests which our citizens have at stake in that country, and, finally, our larger obligations to the interests of western civilization, make it incumbent upon us to do everything in our power to preserve the primary requisites for the continued existence and development of Mexican civilization.

In dealing with this Indian nation, we must recognize the basic facts of Mexican political life, namely, that she is living under a constitution which is out of harmony with the political needs and capacity of the people; a constitution which is, therefore, unworkable, and that her primary needs are of an economic and social rather than of a political nature. The development of a small land-holding class, the raising of the standard of life of her industrial, mining and agricultural workers and the protection of the entire laboring population against exploitation will do more toward preparing the way for the development of democratic rule in Mexico than any amount of outside dictation as to the particular type of government under which the Mexican people shall live.

As regards the islands of the Caribbean, it is evident that their close proximity to our southern coast and their strategic importance as outposts of the route to the Panama Canal give to them an exceptional importance, and that our national safety and well-being demand that they should not become involved in conflicts with European countries, conflicts which might result in the loss of their independence.

It was not necessary to invoke the Monroe Doctrine to justify the position taken by the United States in 1905 with reference to Santo Domingo. The same fundamental considerations upon which the Monroe Doctrine itself rests, namely, those of national self-protection, explain and justify our San Domingan policy.

As regards Central America, the acquisition of the Canal Zone makes the United States a Central American Power. Anarchy or continued disorder in any of the countries of that section of the American Continent vitally affects our own national safety. In contributing within the measure of our power toward their prosperity and orderly development we are at the same time fostering the permanent interests of the United States. The considerations which apply to

the countries of Central America apply with equal force, because of their geographical situation, to Colombia and Venezuela.

When we come to consider our relations with the countries of South America (excluding Colombia and Venezuela) a totally different situation presents itself. During recent years there has been much talk about the development of a "Latin American" policy. The abandonment of this idea represents the first step toward the adjustment of our foreign policy to the real rather than the imaginary conditions existing in South America. Our relation with each of the countries of the southern hemisphere involves a different and distinct group of problems. The adjustment of the relations between the Argentine Republic and the United States must be based not upon any general considerations relating to South America as a whole, but upon the special conditions prevailing in the Argentine Republic, and similarly with the other countries.

In South America we find developing a series of international problems of the most difficult and delicate nature; problems which may in time endanger the peace of that section of the American continent. While our interest in the maintenance of peace in and between the republics of South America is different, both in kind and in degree, from our interest in the maintenance of order in Mexico and in some of the countries of Central America, we are none the less called upon to contribute within the measure of our influence toward the maintenance of the "*Pax Americana*" in the larger sense, because its disturbance involves a menace to the independence of these countries. The cardinal principle of our foreign policy with the countries of South America must be to contribute within the measure of our power toward the settlement of pending questions without conflict. In the execution of this purpose, there is the possibility of developing an American Concert similar in some respects, but far more effective, than the action of the European Concert.

It is, furthermore, important to bear in mind that in South America there are a number of small states whose permanent relations to their neighbors have not as yet been definitely established. The rivalry for influence over such states as Paraguay, Bolivia and Uruguay is a constant menace to the peace of the southern hemisphere. The fact that the United States can view this situation impartially, will enable our government to exercise an important if not a determining influence in the maintenance of peace, in the preservation of existing territorial relations, and in bringing about the peaceful settlement of present and

future disputes. Through such a concert of Powers, which should include the Argentine Republic, Chile, Brazil, Peru and the United States, the relations between the republics will be treated as a matter of continental interest and importance. With this adjustment, the Monroe Doctrine has little or nothing to do. We have an interest in the settlement of the controversy regarding the jurisdiction over the River Plate in that it should not become the cause of a continental conflagration; we have an interest that the position of Paraguay should not lead to armed conflict amongst those of her neighbors who are now engaged in a more or less friendly rivalry for the extension of control over Paraguayan policy.

In the accomplishment of these purposes, which at the same time serve the interests of world peace, our interests run parallel with those of the great countries of South America, and we should, therefore, move not only in harmony but in active and helpful cooperation with them. The development of such a policy, as well as its ultimate success, depends on the possibility of allaying the fears of the republics of South America with reference to the motives and ultimate purposes of the United States. Mere personal assurances will have but little effect. The only way in which we can hope to allay those feelings is through closer personal ties, closer intellectual and cultural relations with the peoples of these countries. As their acquaintance with the people of the United States grows in breadth and depth, and as we learn to respect the dignity and value of the civilization represented by the leading countries of South America, there will develop a feeling of mutual confidence which will make it easier for the official relations of the governments to be determined by that spirit of cooperation without which a truly continental policy is impossible. Until that better understanding and better appreciation of motives, intents and purposes can be established, it will be exceedingly difficult to allay the distrust which now exists.

We have seen that the Monroe Doctrine at the time of its formulation was not a new principle in American foreign policy; it was simply the application to two concrete international problems of those fundamental principles of national self-protection which are of universal application, and which have found expression in the European doctrine of the balance of power, and in the action of the European Concert. This principle of national self-protection, which forbids further European colonization on the American continent, and which prohibits European countries from making any attempt either to

overthrow or control the destinies of American states, is quite as vital today as it was ninety years ago. The real danger of the present situation is due to the vague and indefinite thinking that has characterized the attitude of the American people toward the Monroe Doctrine.

One of the most profound students of American political institutions¹ has referred to the Monroe Doctrine as one of the fetiches of the American people, and one of the keenest of foreign observers² has said of it that it casts a spell over the national thought of the people of the United States, a spell which allows emotion rather than sober reason to dominate the public mind.

In a democracy such as ours, there is real danger in such a situation, a danger which arises from the fact that such an emotional attitude always affords the opportunity to unscrupulous or incompetent political leaders to exploit these emotions for purposes that are not consonant with the permanent interests of the country. There have been a number of attempts in the course of our national history to use the Monroe Doctrine as a shield for ulterior ends intended to promote sectional rather than national interests. When the British-North American Act, which united the Dominion of Canada, was under consideration, the attempt was made to arouse American opposition to the measure on the ground that it was out of harmony with the Monroe Doctrine. It would be difficult to imagine a more unwarranted abuse of the real principle of the doctrine.

The question which presents itself to the American people, therefore, is not whether the Monroe Doctrine should be abandoned, but rather whether it is safe for a great world Power like the United States to use a political catchword as an all-inclusive principle of foreign policy rather than meet each new international situation as it arises with principles which appeal to the sober judgment of the American people. An emotional response to a political catchword can never become the basis of a sound foreign policy. President Wilson has well said that the questions of the day are not "mere questions of policy and diplomacy, they are shot through with principles of life." This profound truth means that the foreign policy of the United States must become as much a matter of national thought as the principles that are to govern the solution of our domestic questions.

If, therefore, we are to continue the use of the term "Monroe Doctrine," let us confine it to the one great principle for which it

¹ Professor Burgess.

² A. M. Low.

today stands. Whatever principles we may find it necessary to add, let us recognize them frankly as new principles of American foreign policy, to be justified on the basis of imperative national interests or of manifest international obligations.

I firmly believe that it would tend to clarify the national thought of the American people if we were to abandon the use of the term "Monroe Doctrine," at the same time stating in no uncertain language that the principle that "no European Power shall control the form of government or the political destinies of an American state" is as vital an element of our national policy as it was in 1823. This would mean that any additional principles of our foreign policy that might be formulated would not masquerade under the assumed name of the Monroe Doctrine, but would be clearly recognized as constituent parts of a constructive American foreign policy. Such a plan would have the further advantage of allaying the uncertainty which exists in the countries of Central and South America as to the content of the Monroe Doctrine and the ulterior purposes of the United States.

We are told by no less an authority than the Lord High Chancellor of England (Lord Haldane), that the Monroe Doctrine involves a necessary corollary that the United States will assume the responsibility for good government and fair treatment for the smaller nations of the Western Hemisphere. This may or may not become a principle of American foreign policy, but whatever the future may have in store, let us clearly recognize the fact that such a principle is no part of the Monroe Doctrine, and that it must, therefore, be discussed and justified by reasoning extraneous to the doctrine.

Another distinguished observer of American institutions tells us that the Monroe Doctrine involves a duty on the part of the United States "not only to protect the political entity of Latin America, but also to preserve its financial independence; to save it from its own weakness, to protect it from becoming a victim of concessionaires, whether they be American or European; to enable Latin America to develop itself without selling itself into bondage; to encourage Latin America to respect itself, so that it may have the respect of the whole world." Here again we have a series of principles which are new to American foreign policy and are but remotely related to the Monroe Doctrine. They must not be permitted to masquerade under an assumed name.

A few months ago, in an address delivered before the Southern

Commercial Congress, the President of the United States took a similar position. In formulating a new principle of American foreign policy, the purpose which he seems to have in view is the gradual financial emancipation of the countries of Central and South America from their present dependence on European capital. In the course of this address, the President attacked "the material interests that had influenced the foreign policy of certain governments in their relations with the nations of Latin America." He declared it to be the duty of the United States, "to assist the nations of this hemisphere in their emancipation from the material interests of other nations, so that they might enjoy constitutional liberty unrestrained." "You hear," he said, "of concessions to foreign capital in Latin America. . . . States that are obliged to grant concessions are in the position that foreign interests are apt to dominate their affairs. Such a state of things is apt to become intolerable. It is emancipation from this inevitable subordination that we deem it our duty to assist."

It is true that the President restricted himself to a declaration against "concessions," and it would seem that to his mind this term involves the idea of special privilege or monopoly. The nearest equivalent of the Spanish word "*concesión*" is our own legal term "franchise." It is true, that in many of the countries of Central and South America such franchises include the grant of monopolistic privileges. It is also true that under the cloak of such franchises many abuses have been committed, but we must bear in mind that the unsettled political conditions prevailing in many of these countries and the exceptional risks to which foreign capital is subjected have made it necessary to offer exceptional inducements in order to attract foreign investors. If we stop to reflect on the extraordinary inducements which were offered to foreign capital during the early history of the United States, and on the great service which such capital rendered to our national development, we can readily see that any policy the effect of which is to discourage foreign investments in Central and South America can not help but retard the development of those sections of the continent. We may deplore the fact that in many of the republics of the American continent there has been a wasteful and at times a corrupt distribution of franchises and special privileges, but is it either our duty or our right to determine or even to suggest the standards to which the investment of foreign capital shall conform?

At all events, let us not close our eyes to the fact that the formulation of this policy has aroused serious misgivings throughout the

countries of the American continent, as it is looked upon as an unwarranted assumption of control over their liberty of action. In Europe the President's pronouncement is regarded as confirmatory of a suspicion, which has been growing within recent years, namely, that the United States has embarked upon a national policy, the purpose of which is to reserve the less advanced countries of this continent for the economic exploitation of American capital.

Whatever the ultimate judgment on the appropriateness of the principles or the wisdom of the policy formulated in the President's Mobile speech, it should be made clear that this new orientation of our foreign policy is not a part of the Monroe Doctrine, and has no organic relation to the fundamental principle upon which the Monroe Doctrine rests, namely, national safety and self-protection. It is a new and strange principle which has aroused the opposition of the countries for whose benefit it is intended, and has engendered bitterness of feeling amongst European peoples. If it is to be maintained, it must justify itself by basic reasons of national interest and international obligation entirely independent of the Monroe Doctrine.

Permit me in closing to summarize briefly the position which I have taken with reference to the Monroe Doctrine in its relation to American foreign policy:

1. The Monroe Doctrine, while based on a well recognized principle of international law, namely, the right of self-protection, is itself not a part of international law, nor have we the slightest interest in having it so recognized.

2. The Monroe Doctrine, as such, consisted of but two principles; a declaration against further European colonization, and a declaration against European control of existing American states. The first principle is no longer applicable, because of the fact that the occupation of the territory of the American continent by independent nations has made further colonization impossible; the second is as vital to our national safety and well-being today as it was ninety years ago. It implies no hostility toward European countries, but simply embodies the results of accumulated experience, namely, the unwisdom of permitting the American continent to become the theater of European rivalries.

3. We should never permit the Monroe Doctrine to become a cloak, behind which any country may take refuge for the purpose of escaping the consequences of its wrong-doing. European countries should be given a free hand in pursuing the remedies recognized by international

law for the redress of grievances, but, as President Roosevelt said, such remedies should not be permitted to assume the form of a permanent occupancy of American territory, or permanent control of the destinies of an American state.

4. Where the conditions are such that the only effective remedy involves the danger of such control, the United States is justified, entirely independent of the Monroe Doctrine, to pursue the course followed with reference to Santo Domingo in 1905, which was in effect the reorganization, under American auspices, of the finances of that country, and the lending of our aid and support in the administration of its revenues. All these steps were taken, mainly, for the benefit of European creditors.

5. Neither the Monroe doctrine nor any additional valid principle of our foreign policy justifies the assumption of responsibility either for the fair treatment of Europeans, resident in the countries of Central or South America, or for the maintenance of the financial independence of these countries.

By reason of peculiarly favorable circumstances, we have become the leading nation of the Western Hemisphere in population, wealth and power, but the fact of such a position involves the necessity of forbearance and self-control in order that such power shall not be abused.

6. We must abandon the idea of developing a "Latin-American policy." The general principles of 1823 were applicable to all parts of Spanish and Portuguese America at a time when the newly established republics presented many common characteristics. A century's growth, however, has so differentiated these countries that the United States must now develop its relations toward each of them with the same care and discrimination that Great Britain exercises in its relations with the countries of continental Europe. As we have seen, a policy adapted to Mexico is inapplicable to the Argentine, Brazil, Chile or Peru, and a policy which is necessary in dealing with Nicaragua or Colombia is inapplicable to Guatemala or Salvador.

Nothing is more distasteful to the more advanced countries of South America than to hear the President of the United States speak of a "Latin-American policy." Nothing offends them more deeply than when the government of the United States attempts to admonish the Latin-American countries as if they were all in the same category.

7. The rapid development of the leading countries of Latin America, especially the Argentine, Chile, Brazil and Peru, has prepared the

way for the development of an American Concert, which can be far more effective in its action than the European Concert. The pending international problems of South America can best be solved by co-operation of the United States with these four Powers. The sooner we prepare for such concerted action the better will we be able to serve the cause of peace and good will on the American continent. In order to prepare for such action, we must cultivate closer intellectual and cultural ties with the countries of Central and South America. Only through such means will they secure a clearer understanding of the point of view of the people of the United States, and will we be able to appreciate more fully their aspirations and ideals.

8. Finally, it is evident that the United States can exert its greatest and highest influence on the American continent by the force of its example rather than by any self-constituted guardianship. Let us see to it that every treaty entered into by the United States is faithfully observed. Our present reputation amongst the nations is that of a country prone to a narrow and technical interpretation of treaty obligations. Our failure at critical periods to fulfil our full duty toward foreigners resident within our borders, the helplessness of the national government to give adequate redress for injuries to foreigners caused by mob violence, the attempt at a highly technical interpretation of the Hay-Pauncefote Treaty, have made a painful impression throughout the civilized world. A due regard for the sanctity of these obligations, and a firm determination carefully to observe the rights of the weakest as well as the most powerful nations with which we may be brought into contact,—these are the principles which will give to this country a real position of leadership, and will enable it to secure the good will and active cooperation of the countries of Central and South America.

With the Monroe Doctrine limited to the principle which today remains a vital one, with a constructive foreign policy dealing with every country in accordance with its needs and our own national requirements, and with a position of leadership assured by our example rather than by our military or naval force, we will best accomplish the two-fold purpose which our foreign policy must ever have in view,—the protection of our national interests and the promotion of the peace and progress of the entire American continent.

ALPHEUS H. SNOW¹

It is because the people of the United States believe that they have a peculiar system of government which is essential not only to their own liberty and their own society, but to individual liberty and human society everywhere, and which they hold in trust for civilization, that they feel it their duty to protect their philosophy and their governmental system from such contact with other systems as might endanger its existence. This was the original basis of the Monroe Doctrine, and still continues to be its true basis. The belief in the fundamental rights of the individual which we hold, destroys all motive for conquest, since the only effect of conquest by us is to place upon us the difficult task of securing the fundamental rights of the individual in the countries annexed. We welcome the independence of nations which accept our philosophy and which honestly recognize the fundamental law and do their utmost to preserve fundamental rights. The rights of intervention in the affairs of the South American Republics, for the purpose of controlling them in the interest of Europe, was claimed in 1823 by the allied powers of Continental Europe as a logical result of their political philosophy and system. President Monroe declared that "the political system of the allied Powers is essentially different in this respect from that of America," and that "this difference proceeds from that which exists in their respective governments." Asserting that "to the defense of our own system, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, this whole nation is devoted," he concluded that we owed it "to candor, and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any part of this hemisphere as dangerous to our peace and safety."

The whole effect of the Monroe Doctrine was that the American people were determined that their philosophy and their system should have every chance of surviving in the competition of philosophies and systems to which it could reasonably be thought to be entitled. The philosophy of government then prevailing in Continental Europe denied the fundamental rights of the individual and asserted that all

¹Lecturer and writer. The following extract is from an article on *The American Philosophy of Government and its Effect on International Relations* in the *American Journal of International Law*, vol. 8 (1914), pp. 208-10.

rights of men were created by the nation. The republics of Central and South America having established themselves and having nominally accepted the American philosophy of government and to some extent the American system, the United States asserted that the people of these nations should be free to develop themselves, hoping and believing that in the course of time they would fully accept the American philosophy of government and apply it effectively in their national affairs. [The Monroe Doctrine is thus a doctrine of freedom. It had its origin in a conflict of philosophies. It had for its purpose the protection of the Central and South American Republics in developing and working out a philosophy and system which they had freely chosen. The Monroe Doctrine will die when nations of the world accept the belief in the fundamental rights of the individual and make these rights practical and effective; for by the acceptance of this belief and by the adoption of a practical system in accordance with this belief, all motive for conquest ceases, and nations will refrain from interfering in the internal affairs of other nations, since intervention will carry with it the heavy responsibility of securing the fundamental rights of the people of the invaded country, without possibility of great gains, and with only an uncertain compensation.

WILLIAM H. TAFT¹

It is now ninety years since what the world has always called the Monroe Doctrine was announced by President Monroe in a message to Congress. [It was a declaration to the world that any effort on the part of an European government to force its political system upon a people of this hemisphere, or to oppress it, would affect the safety of the United States and would be inimical to her interests, and, further, that the subjecting to colonization by any European government of any part of the two American continents, all of which was held to be within the lawful jurisdiction of some government, would be equally objectionable. The first part of the declaration was prompted by the fear that the then Holy Alliance of Russia,

¹ President of the United States 1909-1913; Chief Justice of the Supreme Court since 1921. The following extract is from Chapter I, "The Monroe Doctrine: Its Limitations and Implications", of Mr. Taft's book entitled *The United States and Peace* (Charles Scribner's Sons, New York, 1914).

Prussia, Austria, and France would attempt to assist Spain in reconquering the Central and South American republics that had revolted from Spain and set up independent governments which had been recognized by the United States. The other part, against colonization, was prompted by certain claims that Russia was making to control over territory on the northwest coast of North America to which the United States then asserted title. There was expressly excepted from the doctrine thus announced any purpose to interfere with Spain's effort to regain her lost colonies or the continued exercise of jurisdiction by European governments over any colonies or territories which they then had in America.

I have not space to give the details of the instances in which our Presidents, representing our country in its foreign relations, found it necessary to insist upon compliance with the Monroe Doctrine. When Mr. Webster was secretary of state, he declined, in Mr. Tyler's name, to consider a proposition by England and France for a joint agreement with Spain as to the disposition of Cuba, stating that, while the United States did not intend to interfere with the control of Cuba by Spain, it could not consent to the ownership of the island by any other power. Again when Yucatan had been temporarily separated from Mexico by insurrection, and the insurrecto leaders sought to dispose of the country to us, or to England, or to Spain, President Polk, in declining their offer to the United States, advised them that we could not consent to a transfer of dominion and sovereignty either to Spain, Great Britain, or any other power, because "dangerous to our peace and safety."

Without directly citing the Monroe Doctrine by name, Mr. Seward protested against the occupation of Mexico by France during the Civil War with the purpose of colonizing or setting up a new government on the ruins of the Mexican Government. France denied having any other purpose than to collect its debts and redress its wrongs. Afterward the Mexican Government was overthrown and an empire established with an Austrian archduke at its head. The American Civil War closed, the American troops were massed on the Mexican border under Sheridan, and France was requested to withdraw her troops. She did so, and the collapse of the Maximilian government followed.

President Grant, in sending the Santo Domingo treaty to the Senate, announced that thereafter no territory on the continent should be regarded as subject to transfer to an European power, and that

this was an adherence to the Monroe Doctrine as a measure of national protection.

Again, the policy was insisted upon and maintained by Mr. Olney and Mr. Cleveland in reference to England's declination to arbitrate the boundary issue between Venezuela and British Guiana, in which Mr. Cleveland and Mr. Olney believed that they saw a desire on the part of Great Britain, through a boundary dispute, to sequester a considerable part of Venezuela, valuable because of the discovery of gold-mines in it. Mr. Cleveland's position in the matter was sustained by a resolution which was passed by both houses. In this instance Mr. Olney used the expression:

To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition.

The original declaration of the Monroe Doctrine was prompted by England's wish, when Canning was foreign minister, that England and the United States should make a joint declaration of such a policy. Since its announcement by President Monroe there have been frequent intimations by English statesmen while in office that they do not object to its maintenance. Whether the other governments of Europe have acquiesced in it or not, it is certain that none of them have insisted upon violating it when the matter was called to their attention by the United States. Everyone admits that its maintenance until recently has made for the peace of the world, has kept European governments from intermeddling in the politics of this hemisphere, and has enabled all the various Latin-American republics that were offshoots from Spain to maintain their own governments and their independence. While it may be truly said that it has not made for peace between them, still, that was not within the scope of its purpose. It has, however, restrained the land-hunger and the growing disposition for colonization by some European governments which otherwise would certainly have carried them into this hemisphere. The very revolutions and instabilities of many of the Latin-American republics would have offered frequent excuse and opportunity for intervention by European governments which they would have promptly improved.

. . . We ought to make clear certain definite limitations of the Monroe policy that are not always given weight by those who condemn it. In the first place, the Monroe Doctrine is a policy of the United States and is not an obligation of international law binding

upon any of the countries affected, either the European countries whose actions it seeks to limit or the countries whose government and territory it seeks to protect. Nor, indeed, does it create an absolute obligation on the part of the United States to enforce it. It rests primarily upon the danger to the interest and safety of the United States, and, therefore, the nearer to her boundaries the attempted violation of the doctrine, the more directly her safety is affected and the more acute her interest, and, naturally, therefore, the more extreme will be the measures to which she would resort to enforce it. While the assertion of the doctrine covers both continents, the measures of the United States in objecting to an invasion of the policy might be much less emphatic in the case where it was attempted in countries as remote as Argentina, Brazil, and Chile than in the countries surrounding the Caribbean Sea, or brought close to the United States by the opening of the Panama Canal. It is well that the declared policy has in the past covered both continents, because this certainly contributed to the causes which made Argentina, Brazil, and Chile the powerful countries they have become. But, as Daniel Webster said in Congress in 1826, speaking of the plans of the Holy Alliance:

If an armament had been furnished by the allies to act against provinces the most remote from us, as Chile or Buenos Ayres, the distance of the scene of action diminishing our apprehension of danger, and diminishing also our means of effectual interposition, might still have left us to content ourselves with remonstrance. But a very different case would have arisen if an army equipped and maintained by these powers had been landed on the shores of the Gulf of Mexico and commenced the war in our own immediate neighborhood. Such an event might justly be regarded as dangerous to ourselves, and on that ground call for decided and immediate interference by us.

In other words, the extent of our intervention to enforce the policy is a matter of our own judgment, with a notice that it may cover all America. It therefore follows that the Monroe Doctrine, as it applies to Argentina, Brazil, and Chile, the so-called A B C governments of South America, is now never likely to be pressed, first because they have reached such a point that they are able to protect themselves against any European interference, and, second, because they are so remote from us that a violation of the doctrine with respect to them would be little harmful to our interests and safety.

The second great limitation of the Monroe Doctrine is that it does not contemplate any interference on our part with the right of an

European government to declare and make war upon any American government, or to pursue such course in the vindication of its national rights as would be a proper method under the rules of international law. This was expressly declared to be a proper term in the statement of the Doctrine by Mr. Seward during our Civil War, when Spain made war against Chile. He announced our intention to observe neutrality between the two nations, and he laid down the proposition that the Doctrine did not require the United States, in a consistent pursuit of it, to protect any government in this hemisphere, either by a defensive alliance against the attacking European power or by interfering to prevent such punishment as it might inflict, provided only that in the end the conquering power did not force its own government upon the conquered people, or compel a permanent transfer to it of their territory, or resort to any other unjustly oppressive measures against them. And Mr. Roosevelt, in his communications to Congress, has again and again asserted that maintenance of the Doctrine does not require our government to object to armed measures on the part of European governments to collect their debts and the debts of their nationals against governments in this continent that are in default of their just obligations, provided only that they do not attempt to satisfy those obligations by taking over to themselves ownership and possession of the territory of the debtor governments or by other oppressive measures. It may be conceded that Mr. Olney used language that was unfortunate in describing the effect of the Monroe Doctrine upon the position of the United States in this hemisphere. It is not remarkable that it has been construed to be the claim of suzerainty over the territory of the two American continents. Our fiat is not law to control the domestic concerns or, indeed, the foreign policies of the Latin-American republics or of other American governments, nor do we exercise substantial sovereignty over them. We are concerned that their governments shall not be interfered with by European governments; we are concerned that this hemisphere shall not be a field for land aggrandizement and the chase for increased political power by European governments, such as we have witnessed in Africa and in China and Manchuria, and we believe that such a condition would be inimical to our safety and interests. More than this, where a controversy between an European government and a Latin-American republic is of such a character that it is likely to lead to war, we feel that our earnest desire to escape the possible result against which the Monroe

Doctrine is aimed is sufficient to justify our mediating between the European power and the Latin-American republic, and bringing about by negotiation, if possible, a peaceable settlement of the difference. This is what Mr. Roosevelt did in Venezuela and in Santo Domingo. It was not that the use of force or threatened force to collect their debts by the European powers constituted a violation of the Monroe Doctrine that induced Mr. Roosevelt to act, but only a general desire to promote peace and also a wish to avoid circumstances in which an invasion of the Monroe Doctrine might easily follow.

It is said—and this is what frightens peace advocates from the Monroe Doctrine—that it rests on force and ultimately on the strength of our army and our navy. That is true, if its enforcement is resisted. Its ultimate sanction and vindication are in our ability to maintain it; but our constant upholding and assertion of the Doctrine have enabled us, with the conflicting interests of European powers—the support of some and the acquiescence of others—to give effect to the Doctrine for now nearly a century, and that without the firing of a single shot. This has secured the Doctrine a traditional weight that assertion of a new policy by the United States never could have. It is a national asset, and, indeed, an asset of the highest value for those who would promote the peace of the world. The mere fact that the further successful maintenance of the Monroe Doctrine, in the improbable event that any European power shall deliberately violate it, will require the exercise of force upon our part is certainly not a reason for the most sincere advocate of peace to insist upon sacrificing its beneficent influence and prestige as an instrument of peace to prevent European intermeddling in this hemisphere which a century of successful insistence without actual use of force has given it.

Much as the Doctrine may be criticized by the Continental press of Europe, it is an institution of one hundred years' standing; it is something that its age is bound to make Europe respect. It was advanced at a time when we were but a small nation with little power, and it has acquired additional force and prestige as we have grown to our present size and strength and international influence.

Were we to abandon the doctrine and thus, in effect, notify the European governments that, so far as our remonstrance or interposition was concerned, they might take possession of Santo Domingo, or Haiti, or of any of the Central American republics, or of any

South American republics that might be disturbed by revolution and that might give them some international excuse for intervention, it would be but a very short time before we would be forced into controversies that would be much more dangerous to the peace of this hemisphere than our continued assertion of the doctrine properly understood and limited.

I fully sympathize with the desire to make such countries as the Argentine Republic, Brazil, Chile, and other powers in South America that are acquiring stability and maintaining law and order within their boundaries, understand that we do not claim to exercise over them any suzerainty at all and that we are not tendering our guardianship as if they were children or as if they needed it. We reserve to ourselves the right, should oppression or injustice be manifested in a warlike way by any of the European countries against them, and should they be unfortunate enough not to be able to give effective resistance, to determine whether it is not in our own interest to intervene and prevent an overturning of their government or an appropriation of their territory. But we recognize that this possibility is so remote that it practically removes them from the operation of the Monroe Doctrine. . . .

But it is said that we ought to invite in these so-called A B C powers of South America to assist us in upholding the Doctrine and also in doing what the Doctrine, as well as neighborhood interests, may lead us to do with nearby countries around the Gulf of Mexico and the Caribbean Sea. It is suggested that we ought to establish some sort of relationship with these great powers as members of a kind of hegemony to decide upon Latin-American questions and participate in intervention to help along the smaller countries, and thus put such powers on an equality with us in our American policy and give assurance of our disinterestedness. If we could do this I would be glad to have it done, because it would relieve us of part of a burden and would give greater weight to the declaration of the policy. I would be glad to have an effort tactfully made to this end and I don't want to discourage it; but I fear we should find that these Powers would be loath to assume the responsibility or burden in the matter of the welfare of a government like one of the Central American republics, or Haiti or Santo Domingo so remote from them and so near to us. We attempted, in case of disturbance in the Central American governments once or twice, to interest Mexico, when Mexico had a responsible government and was very near at hand,

but President Diaz was loath to take any part with the United States in such an arrangement, and we found that whatever had to be done had to be done largely on the responsibility of the United States.

If action in respect of any republic of South America were necessary under the Monroe Doctrine, the joining of the A B C powers with the United States might involve suspicion and jealousy on the part of other South American republics not quite so prosperous or so stable as the A B C powers. Thus, instead of helping the situation, the participation of part of the South American governments might only complicate it. I know something about the character of those countries myself, not from personal observation but from a study of the character of Spanish-descended civilizations and societies, and I venture to say that, sensitive as they all may be in respect to suspected encroachments of the United States, they are even more sensitive as between themselves and their respective ambitions. During my administration Mr. Knox, the secretary of state, tendered the good offices of the United States as between South American governments who were bitter against each other over boundaries and other disputes, and successfully brought them to a peaceful solution; but in those controversies it was quite apparent that whatever might be the general feeling against the United States, their suspicions of each other, when their interests were at variance, were quite as intense. Indeed, it is not too much to say that the fear in the hearts of the less powerful peoples of South America of a South American hegemony is more real than any genuine fear they may have of the actual suzerainty of our government. My belief, therefore, is that unless we could organize a union of all the countries of two continents, which would be so clumsy as to be entirely impracticable, the influence of the United States can probably be exerted in support of the Monroe Doctrine more effectively and much less invidiously alone than by an attempt to unite certain of the South American powers in an effort to preserve its successful maintenance. I hope my fear in this respect will prove to be unfounded and that the plan suggested may be successful.

. . . I quite agree that it is the bounden duty of this government and her people to avoid as much as possible those acts which can give rise to a misconstruction of her motives, and to take a course which shall deprive them of any appearance of a desire to use her power in this hemisphere or to enforce and extend the Monroe Doc-

trine with a view to her selfish aggrandizement. I know the attractiveness of the Spanish-American; I know his high-born courtesy; I know his love of art, his poetic nature, his response to generous treatment; and I know how easily he misunderstands the thoughtless bluntness of an Anglo-Saxon diplomacy and the too frequent lack of regard for the feelings of others that we have inherited. I sympathize deeply with every effort to remove every obstacle to good feeling between us and a great and growing people, if only we are not called upon in doing so to give up something valuable to us and to the world.

. . . Our Cuban war was begun with the most unselfish motives on our part and with a self-denying declaration; but it has been flaunted in South America as a war for aggrandizement and the exploitation of new territory, because the people of Porto Rico desired to come under our government and we accepted them, and because we found the Philippines in such a condition of anarchy that we had to take them over. We have not exploited either Porto Rico or the Philippines. We have only given them a better government and more prosperity and individual liberty than they ever had. We have promised the Filipinos that when their people acquire sufficient education and knowledge to make their government stable we will turn over the government to them. Twice Cuba has been under our control, and twice we have turned the island back to the people to whom we promised to do so when we entered upon the war. It has cost us hundreds of millions of money and many valuable lives to give her her independence. Nevertheless, our conduct, as unselfish and self-sacrificing as history shows, is treated among the South American people as an indication of our desire to enlarge our territorial control. Had we desired to extend our territory, how easily we could have done it! How many opportunities have been presented to us that we have rejected? Now, is it a reason for us to give up a doctrine that has for near a century helped along the cause of peace that our motives in maintaining it have been misconstrued by the peoples who have so much profited by our enforcing it? If we had entered upon the policy merely because those peoples asked us to assert it, and for no other reason, then their wish to end it might properly be given great weight, but the doctrine was originally declared to be one in our own interest and for our own safety. True, it has greatly strengthened our insistence upon the doctrine that it helped these peoples to maintain their governmental integrity and

independence. Nevertheless, the question whether we shall continue it ought not to be controlled by their unjust feeling that our continued maintenance of the doctrine, with its proper limitations, in our own interest is in some way or other a reflection upon their national prestige and international standing. It has made for peace in ninety years. Why will it not make for peace the next one hundred years?

But it is said that the doctrine has been greatly extended and that it has led to intermeddling by our government in the politics of the smaller countries like Santo Domingo and the Central American republics, and that we are exercising a protectorate of a direct character over some of them. What we are doing with respect to them is in the interest of civilization, and we ought to do it to aid our neighboring governments whether the Monroe Doctrine prevails or not. My hope, as an earnest advocate of world peace, is that ultimately by international agreement we shall establish a court, like that of The Hague, into which any government aggrieved by any other government may bring the offending government before an impartial tribunal to answer for its fault and to abide the judgment of the court. Now, it is utterly impossible that the peace of the world may be brought about under such an arrangement as long as there are governments that cannot maintain peace within their own borders and whose instability is such that war is rather the normal than the exceptional status within their territory. One of the most crying needs in the cause of general peace is the promotion of stability in government in badly governed territory. This has been the case with Santo Domingo and Haiti. It has been true in a majority of the republics of Central America and until recently was true in the northern part of South America. Revolutions in those countries have been constant, peace has been the exception, and prosperity, health, happiness, law and order have all been impossible under such conditions and in such governments. The nearer they are to our borders the more of a nuisance they have become to us and the more injurious they are to our national interests. It was the neighborhood nuisance that led to the Cuban war and justified it. Now, when we properly may, with the consent of those in authority in such governments and without too much sacrifice on our part, aid those governments in bringing about stability and law and order, without involving ourselves in their civil wars, it is proper national policy for us to do so. It is not only proper national policy but it is international

philanthropy. We owe it as much as the fortunate man owes aid to the unfortunate in the same neighborhood and in the same community. We are international trustees of the prosperity we have and the power we enjoy, and we are in duty bound to use them when it is both convenient and proper to help our neighbors. When this help prevents the happening of events that may prove to be an acute violation of the Monroe Doctrine by European governments, our duty in this regard is only increased and amplified. Therefore it was that Mr. Roosevelt mediated between Venezuela and the governments of England, Germany, and Italy, as I have already explained. So it was in the case of Santo Domingo, where a similar situation was foreshadowed, and in which, in order to relieve that situation, we assumed the burden of appointing tax-collectors and custom-house officials who were under our protection and who were saved from revolutionary attacks. We thus took away any motive for revolution, because it could not be successful without the funds which the seizure of custom-houses and the instrumentalities for the collection of taxes would furnish. This arrangement has been most profitable to the people of Santo Domingo and has relieved them from a succession of revolutions that had been their fate before it was adopted. The policy does not involve and ought not to involve a protectorate or any greater intervention in their internal affairs or a control of them than this power to protect custom-houses may involve. This is ample to secure pacification.

We cannot be too careful to avoid forcing our own ideas of government on peoples who, though favoring popular government, have such different ideas as to what constitutes it, and whose needs in respect to the forms of government that promote prosperity and happiness for them are widely variant from our own requirements.

. . . In spite of the discouraging conditions in Mexico, however, the present situation illustrates the influence of the Monroe Doctrine on the attitude of the European Powers, which, in spite of the injury to the property and persons of their nationals, look to the United States as the guide whom they are willing to follow in working out a solution. The condition of Mexico is bad enough, to be sure, but if it had involved us in European complications, such as would have been likely to arise had there been European intervention, its consequences might have been a great deal worse.

Exception is taken to the resolution which the Senate adopted in August, 1912, in which it was declared:

That when any harbor or other place on the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for national purposes.

It suffices to say that this is not an enlargement of the Monroe Doctrine. It only calls special attention to a way of indirection by which it can be violated. The policy of making this announcement at the time may perhaps be questioned, but that such an indirect method of securing a military outpost threatening to the safety of the United States would be injurious to her interests does not admit of doubt.

. . . Whatever injustice the South American peoples may do us in suspecting us of selfish plans against them and their territory, we ought not to allow the present expressed hostility to the Monroe Doctrine, which really involves no assertion of suzerainty or sovereignty over them, to change our course. The doctrine is based on a wise policy in our own interest to exclude from this hemisphere the selfish political interference of European Governments and their appropriation of territory, not for the purpose of increasing our power or territory, but for the purpose of promoting the prosperity, independence, and happiness of the peoples of these two continents and so of insuring our own peace and safety.

CHARLEMAGNE TOWER ¹

Here, then, is the original and official statement of the Monroe Doctrine as enunciated by the President himself in his message to Congress. It is not an act of legislation, neither does it call for legislative authority from Congress to give it the formal and legal sanction of the United States Government as a mode of procedure, or of a process subject to judicial determination and enforcement as the law of the land. Neither did it spring forth spontaneously from the brain of President Monroe as the result of his own personal judg-

¹ Former Ambassador of the United States to Austria-Hungary, Russia, and Germany. The following extract is from an article on *The Origin, Meaning and International Force of the Monroe Doctrine*, printed in the *American Journal of International Law*, vol. 14 (1920), pp. 16-25.

ment in the direction of the policy of his administration, or his individual conclusions alone in meeting and solving the grave political questions of international intercourse that presented themselves during his time. We have seen that other minds as well had occupied themselves with these problems; that the President had even consulted with and discussed them, for instance, with Mr. Jefferson, Mr. Madison, Mr. John Quincy Adams and Mr. Calhoun, whose replies and arguments are well known.

"But it was a declaration of policy, a rule of conduct in regard to our own independent position in the world and amongst other nations which embodied the expressed will and the conscious determination of the American people. It met as such with an immediate approval, with hearty response throughout the country, which, up to the present time, have never been weakened.

It has been the object of study and inquiry upon the part of American statesmen in each succeeding generation, whose judgment has served to extend its influence and confirm the validity of its national principles. Mr. Webster said in interpretation of it, in the Senate in 1826:

The amount of it was, that this government could not look with indifference on any combinations among other Powers, to assist Spain in her war against the South American states; that we could not but consider such combination as dangerous or unfriendly to us; and that, if it should be formed, it would be for the competent authorities of this government to decide, when the case arose, what course our duty and our interest should require us to pursue.

And Mr. Calhoun said, many years afterwards, in 1848, also in a speech in the Senate, that when Mr. Canning's communication to Mr. Rush reached this country, it was received with joy, "for so great was the power of the Alliance that even we did not feel ourselves safe from its interpositions."

I remember the reception of the dispatch from Mr. Rush as distinctly as if all the circumstances had occurred yesterday. I well recollect the great satisfaction with which it was received by the Cabinet. As was usual with Mr. Monroe upon great occasions, the papers were sent around to each member of the Cabinet, so that each might be duly apprised of all the circumstances and be prepared to give his opinion. The Cabinet met. It deliberated. There was long and careful consultation, and the result was the declaration of the President. All this has passed away. That very movement on the part of England, sustained by this declaration, gave a blow to the Celebrated Alliance from which it never recovered. From that time forward it gradually decayed, till it utterly perished.

We cannot attempt to follow the application of this rule of American policy to the numerous cases in which it has been brought to bear, or to examine in detail the very voluminous correspondence that has accompanied the assertion of its principles in the course of the diplomatic discussion of the relations of European countries in the last hundred years toward every country on the South American continent.

The attitude of the United States has been perfectly consistent, however, throughout, in maintaining neutrality amid the disagreements and conflicts that have arisen between these nations. We have not sought to impose our own political ideas upon the South American republics, nor have we interfered with their right to determine what kind of government each of them might select or choose to set up for itself; nor have we taken part, on the other hand, against the proceedings of the European governments against them as long as such action has related to the enforcement of obligations duly assumed, or for the redress of wrong.

When Mr. Clay was Secretary of State, in 1825, he declared this to be our policy; saying that, whilst we do not desire to interfere in Europe with the political system of the allied Powers, we should regard as dangerous to our peace and safety any attempt on their part to extend their system to any portion of this hemisphere. The political systems of the two continents, said he, are essentially different; each has an exclusive right to judge for itself what is best suited to its own condition and most likely to promote its own happiness; but neither has a right to enforce upon the other the establishment of its peculiar system.

And Mr. Adams, in the same manner, had declared that the necessary consequences will be, that the American continents henceforth will no longer be subjects of colonization. Occupied by civilized independent nations, they will be accessible to Europeans and to each other on that footing alone, and the Pacific Ocean in every part of it will remain open to the navigation of all nations, in like manner with the Atlantic.

The United States Government has openly declared this, upon its own authority, before the world. It assumed that responsibility by the Monroe Doctrine, and it has not altered its determination since the time of President Monroe himself. Nor can there be any question whatever that the government will insist upon the integrity of this principle; neither that an open disregard of it by a foreign nation,

if carried to the point of refusing to admit its international validity, would lead to a conflict of arms.

The case that best represents, amongst the many others that have arisen, the character of this sentiment and illustrates the international policy of the United States in this respect is that of Mexico at the time of the attempted domination in that country of the Emperor Maximilian, which brought the United States to the verge of a war with France in 1865.

It had become known in Washington a few years before the American Civil War that a naval and military armament was to be sent out from Spain to attack Mexico in the distracted condition of that republic; which aroused immediate attention and gave rise to very serious anxiety upon the part of the Administration. Mr. Cass, who was then Secretary of State, instructed the United States Minister in Madrid to draw the attention of the Spanish ministry to the position taken by the United States, that they would not consent to the subjugation of any of the independent states of this continent to European Powers, nor to the exercise of a protectorate over them, nor any political influence to control their policy or institutions.

"With respect to the causes of war between Spain and Mexico," he declared, "the United States have no concern, and do not undertake to judge them. Nor do they claim to interpose in any hostilities which may take place. Their policy of observance and interference is limited to the permanent subjugation of any portion of the territory of Mexico or of any other American state to any European Power whatever."

In the meantime, American naval forces were sent into Mexican waters, sufficient to look after the interests of American citizens in Mexico during the conflict which it appeared then would inevitably arise out of the demands not only of Spain but of England and France as well, all of whom had grievances against Mexico by reason of violence, injury and acts of injustice suffered in that country by the citizens of each, for which redress was now demanded by these governments.

And it happened, in fact, that naval vessels of England, France and Spain sailed for Vera Cruz, in 1862, with the expressed intention of seizing the custom-houses in certain Mexican ports, for the purpose of satisfying the respective claims of those countries.

The port of Vera Cruz was captured according to this plan and held by the three allies. But, a difference of opinion having arisen between

them at that stage of the enterprise, the English and Spanish commanders, dissatisfied with the conduct of the French, reached an agreement with Mexico as to their separate claims and withdrew from the expedition.

The French, however, continuing their demands upon Mexico after the retirement of their allies, began at once a march toward the City of Mexico, which they reached and took military possession of in June, 1863. There they established a provisional government and called together an assembly of notables, which decided that an empire should be erected, the throne of which should be offered to the Archduke Maximilian, brother of the Emperor Francis Joseph of Austria; and that if he should decline, the place should be filled by a selection made by the Emperor of the French. Maximilian accepted this invitation to become Emperor, and entered the City of Mexico, as Maximilian I, in June, 1864.

The sad ending of this political episode and the details connected with the capture and death of the unfortunate Maximilian are well known to all and still remembered by those who interest themselves in the public questions of that day. He had entered into an undertaking which appeared to him and his supporters as one full of promise; and, under the impelling influences of a personal ambition entirely reasonable in the case of a man situated as he was, who undoubtedly hoped that in providing for his own advancement he should be able to benefit, as well as improve the condition of the people over whom he was about to rule.

But he fell victim to a set of circumstances which he did not conceive of in advance, and to difficulties from which he could neither extricate himself nor were his patrons in France able even to preserve his life. The hostility of the United States, however, was not directed against the Archduke in person, nor was he the object of the slightest discourtesy on our side; but the attitude of the United States Government, and the inevitable assertion of the Monroe Doctrine, made the enterprise a failure from the start.

It was the attempt to set up a monarchy in America which aroused the national sentiment of the people of this country.

Very early in the correspondence which grew out of it, Mr. Seward had declared officially, as Secretary of State, that, whilst this government had no intention to interfere in any way with the war between France and Mexico, the United States had not disclaimed the interest they felt in the safety, welfare and prosperity of Mexico, any more

than they could disown their sentiments of friendship and good will toward France, which began with their national existence. The United States could only deplore the painful occurrence and express their anxious desire that the conflict should be brought to a speedy close by a settlement consistent with the stability and welfare of the parties concerned.

Also, that the United States had always acted upon the same principles of forbearance and neutrality in regard to wars between Powers with which our country has maintained friendly relations, which policy could not then be departed from with advantage to us or in the interest of peace throughout the world.

He asked of France, however, an explanation of her object and purpose in this connection, to which the Imperial Government replied that it did not intend to occupy permanently or to dominate Mexico, but that it would leave that people free to choose its own form of government; and at different stages of the intercourse France renewed the explanations that she had thus given.

The campaign of the French progressed in the meantime. Having captured Pueblo, they finally entered the city of Mexico itself, in which they established a provisional government. Mr. Seward complained that France had made no communication to the United States concerning this provisional government, nor announced any actual departure from the policy in regard to that country which her explanations led him to expect that she would pursue.

But he began to suspect that the situation was developing in a manner quite different from what he had hoped for and endeavored to encourage.

The United States were in the midst of war themselves, which required the employment at home of all the efforts and resources of the country in bringing the conflict to its termination. Mr. Seward declared in writing to Mr. Motley, then Minister to Austria, that whilst so engaged in the war, even those in Washington who thought that intervention in Mexico to prevent the establishment of an imperial monarchy would be just in itself, admitted that such a step now would be unwise. The first fruit of the American Civil War had been, he said (to Mr. Dayton, 1863), that the Governments of Great Britain, France and Spain had assumed an unfriendly attitude toward this country. The Emperor of the French had adopted the current opinion of European statesmen, that the effort to preserve the Union was hopeless; and he attributed to this prejudgment the

Emperor's decision to act in concert with Great Britain upon questions that might arise out of the Civil War.

But as soon as the termination of the war had restored peace in the United States and relieved our government from the burdens of responsibility in that direction, the attitude in Washington grew firm and the tone of diplomatic correspondence assumed a force which indicated beyond question that the American Government was about to act; for troops had already been sent to the line of the Rio Grande under General Sheridan, ready to advance.

Mr. Seward then addressed his definitive note to the French Government, in which he said:

It has been the President's purpose that France should be respectfully informed upon two points: first, that the United States earnestly desire to continue and cultivate sincere friendship with France; secondly, that this policy would be brought into jeopardy unless France could deem it consistent with her interest and honor to desist from the prosecution of armed intervention in Mexico to overthrow the domestic republican government existing there, and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country.

This brought the French expedition to an end. All the Imperial troops were withdrawn, and the undertaking was abandoned within two years from that time.

That incident led to a practical test of the international force of the Monroe Doctrine—its effect upon the minds and policies of foreign statesmen. It was a tacit admission also of its validity under the circumstances presented at the time by the case of Mexico, for France abandoned her expedition and gave up the thought of planting a monarchy on American soil.

The apparent contradiction involved in this was, that she yielded to its mandates whilst refusing to recognize it either as international law or international right. For, the European jurists are almost unanimous even now,—including amongst them both the French and English writers,—in declaring that the doctrine is untenable and not binding by the accepted rules of law.

One of the most distinguished of the modern British international lawyers has said, for instance, that the United States could not by declaration effect the international status of lands claimed, ruled or discovered by other Powers. They might proclaim in advance the policy which they would adopt when such questions should arise, but no unilateral act could change the law of nations. He asserts that it is a very vague declaration of policy, and in no way a formulation of

rules prevailing between states. From the first word to the last, it is a declaration of the policy of a single Power.

And so, in fact, it is,—the policy of the Government and the people of the United States of America. Whilst they last, it will last.

Nor have the European governments formally recognized their obligation under the Monroe Doctrine, or our right to enforce it. For, even in the present Versailles Treaty of Peace with Germany, the most that they have been willing to concede has been to refer to it as a "regional understanding." Article 21 of the League of Nations provides that: "Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe Doctrine." A statement so non-committal that it is difficult to ascertain what meaning it may have at all in relation to the Monroe Doctrine; since its validity is not in the least defined by it, nor does it set forth who, if any, of the contracting parties is bound by the principles of the so-called "regional understanding," or who is a party to it.

If they refused to recognize its validity, and the engagement into which they enter now provides that the Covenant shall not affect that validity, then, evidently, they remain where they were before, and are in no wise further bound.

But, on the other hand, we have remained where we were before. The determination of the American people responds still, as it did a hundred years ago, to the declaration in President Monroe's message that:

It is impossible that the allied Powers should extend their political system to any portion of either continent without endangering our peace and happiness. . . . It is equally impossible that we should behold such interposition in any form with indifference.

I do not know how to express the American public feeling so well as to repeat what Daniel Webster said in regard to it when addressing the Senate in 1826:

It [the Monroe Doctrine] has been said, in the course of this debate, to have been a loose and vague declaration. It was, I believe, sufficiently studied. I have understood, from good authority, that it was considered, weighed, and distinctly and decidedly approved, by everyone of the President's advisers at that time.

Our government could not adopt on that occasion precisely the course which England had taken. England threatened the immediate recognition of the provinces, if the allies should take part with Spain against them. We had already recognized them. It remained, therefore, only for our government to say how we should consider a combination of the allied

Powers, to effect objects in America, as affecting ourselves; and the message was intended to say, what it does say, that we should regard such combination as dangerous to us. Sir, I agree with those who maintain the proposition, and I contend against those who deny it, that the message did mean something; that it meant much; and I maintain, against both, that the declaration effected much good, answered the end designed by it, did great honor to the foresight and the spirit of the government, and that it cannot now be taken back, retracted, or annulled without disgrace.

It met, sir, with the entire concurrence and the hearty approbation of the country. The tone which it uttered found a corresponding response in the breasts of the free people of the United States. That people saw, and they rejoiced to see, that, on a fit occasion, our weight had been thrown into the right scale, and that, without departing from our duty, we had done something useful, something effectual, for the cause of civil liberty.

WOODROW WILSON¹

ADDRESS BEFORE THE SOUTHERN COMMERCIAL CONGRESS AT
MOBILE, ALABAMA, OCTOBER 27, 1913²

There is one peculiarity about the history of the Latin American States which I am sure they are keenly aware of. You hear of "concessions" to foreign capitalists in Latin America. You do not hear of concessions to foreign capitalists in the United States. They are not granted concessions. They are invited to make investments. The work is ours, though they are welcome to invest in it. We do not ask them to supply the capital and do the work. It is an invitation, not a privilege; and States that are obliged, because their territory does not lie within the main field of modern enterprise and action, to grant concessions are in this condition, that foreign interests are apt to dominate their domestic affairs, a condition of affairs always dangerous and apt to become intolerable. What these States are going to see, therefore, is an emancipation from the subordination, which has been inevitable, to foreign enterprise and an assertion of the splendid character which, in spite of these difficulties, they have again and again been able to demonstrate. The dignity, the courage, the self-possession, the self-respect of the Latin American States, their achievements in the face of all these adverse circumstances, deserve nothing but the admiration and applause of the world. They have

¹ President of the United States 1913-1921.

² Extract. Senate Document No. 226, 63d Cong., 1st sess.

had harder bargains driven with them in the matter of loans than any other peoples in the world. Interest has been exacted of them that was not exacted of anybody else, because the risk was said to be greater; and then securities were taken that destroyed the risk—an admirable arrangement for those who were forcing the terms! I rejoice in nothing so much as in the prospect that they will now be emancipated from these conditions, and we ought to be the first to take part in assisting in that emancipation. I think some of these gentlemen have already had occasion to bear witness that the Department of State in recent months has tried to serve them in that wise. In the future they will draw closer and closer to us because of circumstances of which I wish to speak with moderation and, I hope, without indiscretion.

We must prove ourselves their friends and champions upon terms of equality and honor. You can not be friends upon any other terms than upon the terms of equality. You can not be friends at all except upon the terms of honor. We must show ourselves friends by comprehending their interest whether it squares with our own interest or not. It is a very perilous thing to determine the foreign policy of a nation in the terms of material interest. It not only is unfair to those with whom you are dealing, but it is degrading as regards your own actions.

Comprehension must be the soil in which shall grow all the fruits of friendship, and there is a reason and a compulsion lying behind all this which is dearer than anything else to the thoughtful men of America. I mean the development of constitutional liberty in the world. Human rights, national integrity, and opportunity as against material interests—that, ladies and gentlemen, is the issue which we now have to face. I want to take this occasion to say that the United States will never again seek one additional foot of territory by conquest. She will devote herself to showing that she knows how to make honorable and fruitful use of the territory she has, and she must regard it as one of the duties of friendship to see that from no quarter are material interests made superior to human liberty and national opportunity. I say this, not with a single thought that anyone will gainsay it, but merely to fix in our consciousness what our real relationship with the rest of America is. It is the relationship of a family of mankind devoted to the development of true constitutional liberty. We know that that is the soil out of which the best enterprise springs. We know that this is a cause which we are

making in common with our neighbors, because we have had to make it for ourselves.

Reference has been made here to-day to some of the national problems which confront us as a nation. What is at the heart of all our national problems? It is that we have seen the hand of material interest sometimes about to close upon our dearest rights and possessions. We have seen material interests threaten constitutional freedom in the United States. Therefore we will now know how to sympathize with those in the rest of America who have to contend with such powers, not only within their borders but from outside their borders also.

I know what the response of the thought and heart of America will be to the program I have outlined, because America was created to realize a program like that. This is not America because it is rich. This is not America because it has set up for a great population great opportunities of material prosperity. America is a name which sounds in the ears of men everywhere as a synonym with individual opportunity because a synonym of individual liberty. I would rather belong to a poor nation that was free than to a rich nation that had ceased to be in love with liberty. But we shall not be poor if we love liberty, because the nation that loves liberty truly sets every man free to do his best and be his best, and that means the release of all the splendid energies of a great people who think for themselves. A nation of employees can not be free any more than a nation of employers can be.

In emphasizing the points which must unite us in sympathy and in spiritual interest with the Latin American peoples we are only emphasizing the points of our own life, and we should prove ourselves untrue to our own traditions if we proved ourselves untrue friends to them. Do not think, therefore, gentlemen, that the questions of the day are mere questions of policy and diplomacy. They are shot through with the principles of life. We dare not turn from the principle that morality and not expediency is the thing that must guide us and that we will never condone iniquity because it is most convenient to do so. It seems to me that this is a day of infinite hope, of confidence in a future greater than the past has been, for I am fain to believe that in spite of all the things that we wish to correct the nineteenth century that now lies behind us has brought us a long stage toward the time when, slowly ascending the tedious climb that leads to the final uplands, we shall get our ultimate view of the duties of

mankind. We have breasted a considerable part of that climb and shall presently—it may be in a generation or two—come out upon those great heights where there shines unobstructed the light of the justice of God.

THIRD ANNUAL ADDRESS TO CONGRESS, DECEMBER 7, 1915¹

There was a time in the early days of our own great nation and of the republics fighting their way to independence in Central and South America when the government of the United States looked upon itself as in some sort the guardian of the republics to the south of her as against any encroachments or efforts at political control from the other side of the water; felt it its duty to play the part even without invitation from them; and I think that we can claim that the task was undertaken with a true and disinterested enthusiasm for the freedom of the Americas and the unmolested self-government of her independent peoples. But it was always difficult to maintain such a rôle without offence to the pride of the peoples whose freedom of action we sought to protect, and without provoking serious misconceptions of our motives, and every thoughtful man of affairs must welcome the altered circumstances of the new day in whose light we now stand, when there is no claim of guardianship or thought of wards but, instead, a full and honourable association as of partners between ourselves and our neighbours, in the interest of all America, north and south. Our concern for the independence and prosperity of the states of Central and South America is not altered. We retain unabated the spirit that has inspired us throughout the whole life of our government and which was so frankly put into words by President Monroe. We still mean always to make a common cause of national independence and of political liberty in America. But that purpose is now better understood so far as it concerns ourselves. It is known not to be a selfish purpose. It is known to have in it no thought of taking advantage of any government in this hemisphere or playing its political fortunes for our own benefit. All the governments of America stand, so far as we are concerned, upon a footing of genuine equality and unquestioned independence. . . .

The moral is, that the states of America are not hostile rivals but

¹ Extract. *A Compilation of the Messages and Papers of the Presidents*, vol. xvi, pp. 8102-8103.

cooperating friends, and that their growing sense of community of interest, alike in matters political and in matters economic, is likely to give them a new significance as factors in international affairs and in the political history of the world. It presents them as in a very deep and true sense a unit in world affairs, spiritual partners, standing together because thinking together, quick with common sympathies and common ideals. Separated they are subject to all the cross currents of the confused politics of a world of hostile rivalries; united in spirit and purpose they cannot be disappointed of their peaceful destiny.

This is Pan-Americanism. It has none of the spirit of empire in it. It is the embodiment, the effectual embodiment, of the spirit of law and independence and liberty and mutual service.

ADDRESS AT THE SECOND PAN AMERICAN SCIENTIFIC CONGRESS,
WASHINGTON, JANUARY 6, 1916¹

The Monroe doctrine was proclaimed by the United States on her own authority. It always has been maintained, and always will be maintained, upon her own responsibility. But the Monroe doctrine demanded merely that European Governments should not attempt to extend their political systems to this side of the Atlantic. It did not disclose the use which the United States intended to make of her power on this side of the Atlantic. It was a hand held up in warning, but there was no promise in it of what America was going to do with the implied and partial protectorate which she apparently was trying to set up on this side of the water; and I believe you will sustain me in the statement that it has been fears and suspicions on this score which have hitherto prevented the greater intimacy and confidence and trust between the Americas. The States of America have not been certain what the United States would do with her power. That doubt must be removed. And latterly there has been a very frank interchange of views between the authorities in Washington and those who represented the other States of this hemisphere, an interchange of views charming and hopeful, because based upon an increasingly sure appreciation of the spirit in which they were undertaken. These gentlemen have seen that if America is to come into her own, into her

¹ Extract. *Second Pan American Scientific Congress held in the City of Washington, December 27, 1915-January 8, 1916: The Report of the Secretary General* (Washington, 1917), pp. 97-8.

legitimate own, in a world of peace and order, she must establish the foundations of amity so that no one will hereafter doubt them.

I hope and I believe that this can be accomplished. These conferences have enabled me to foresee how it will be accomplished. It will be accomplished in the first place by the States of America uniting in guaranteeing to each other absolutely political independence and territorial integrity. In the second place, and as a necessary corollary to that, guaranteeing the agreement to settle all pending boundary disputes as soon as possible and by amicable process; by agreeing that all disputes among themselves, should they unhappily arise, will be handled by patient, impartial investigation, and settled by arbitration; and the agreement necessary to the peace of the Americas, that no State of either continent will permit revolutionary expeditions against another State to be fitted out on its territory, and that they will prohibit the exportation of the munitions of war for the purpose of supplying revolutionists against neighboring Governments.

You see what our thought is, gentlemen, not only the international peace of America, but the domestic peace of America. If American States are constantly in ferment, if any of them are constantly in ferment, there will be a standing threat to their relations with one another. It is just as much to our interest to assist each other to the orderly processes within our own borders as it is to orderly processes in our controversies with one another. These are very practical suggestions which have sprung up in the minds of thoughtful men, and I, for my part, believe that they are going to lead the way to something that America has prayed for for many a generation. For they are based, in the first place, so far as the stronger States are concerned, upon the handsome principle of self-restraint and respect for the rights of everybody. They are based upon the principles of absolute political equality among the States, equality of right, not equality of indulgence. They are based, in short, upon the solid eternal foundations of justice and humanity. No man can turn away from these things without turning away from the hope of the world: These are things, ladies and gentlemen, for which the world has hoped and waited with prayerful heart. God grant that it may be granted to America to lift this light on high for the illumination of the world.

ADDRESS AT TOPEKA, KANSAS, FEBRUARY 2, 1916¹

. . . We have made ourselves the guarantors of the rights of national sovereignty and of popular sovereignty on this side of the water in both the continents of the Western Hemisphere. You would be ashamed, as I would be ashamed, to withdraw one inch from that handsome guarantee; for it is a handsome guarantee. We have nothing to make by it, unless it be that we are to make friendships by it, and friendships are the best usury of any sort of business. So far as dollars and cents and material advantage are concerned we have nothing to make by the Monroe doctrine. We have nothing to make by allying ourselves with the other nations of the Western Hemisphere in order to see to it that no man from outside, no government from outside, no nation from outside attempts to assert any kind of sovereignty or undue political influence over the peoples of this continent.

America knows that the only thing that sustains the Monroe doctrine and all the inferences that flow from it is her own moral and physical force. The Monroe doctrine is not part of international law. The Monroe doctrine has never been formally accepted by any international agreement. The Monroe doctrine merely rests upon the statement of the United States that if certain things happen she will do certain things. So, nothing sustains the honour of the United States in respect of these long-cherished and long-admired promises except her own moral and physical force.

¹ Extract. House Document No. 803, 64th Cong., 1st sess.

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